

1994 LAND USE ELEMENT REVISION

Volume II

**City of Hermosa Beach
Planning Department**

March 1994

**1994 Land Use Element Revision
Volume II**

Table of Contents

Title	Page
I. Introduction	1
Legal Authority	1
Land Use Diagram	2
Population Density	2
Building Intensity	3
Solid Waste Sites	3
Relationship to Circulation and Noise Elements	4
II. Current Land Use Element.....	5
Land Use Diagram	5
Population Density	6
Building Intensity	6
Solid Waste Sites	7
Relationship to Circulation and Noise Elements	7
III. Inconsistencies Between Zoning Map and General Plan Map	8
Legal Background	8
Existing Inconsistencies	8
Analysis and Recommendations	9
Objectives and Implementation Policies	15
IV. Building Intensity / Population Density	16
Legal Background	16
Existing City Density / Intensity Standards	17
Various Commercial Land Use Intensity Standards	19
Sample Density / Intensity Standards from Nearby Communities	22
Analysis and Recommendations	24
Objectives and Implementation Policies	26
V. Land Use / Zoning Designation Revisions.....	28
Analysis and Recommendations	28
Objectives and Implementation Policies	38
VI. Land Use and Structural Definitions.....	44
Land Use Definitions	44

Development Definitions	56
Objectives and Implementation Policies.....	63
Hotel and Motel Definitions	65
VII. Parking Vis-A-Vis Land Use	69
1990 Parking Element.....	70
Certified Coastal Commission Land Use Plan.....	74
Parking Demand Studies.....	75
Feasibility Analysis.....	86
Conclusions.....	96
Objectives and Implementation Policies.....	102
VIII. Open Space Land Use Designation	104
Background	104
Analysis.....	106
Objectives and Implementation Policies.....	108
IX. Uses of Public Rights-of-Way for Private Purposes	109
General Discussion	109
Locations of Existing Private Encroachments	110
Policy Options.....	113
Policies in Nearby Communities	116
Conclusions.....	117
Objectives and Implementation Policies.....	118
X. Property Maintenance.....	119
Current Local Conditions.....	119
Current City Standards.....	119
Types of Property Maintenance Issues	120
Abatement Procedures	122
Objectives and Implementation Policies.....	123
XI. Design Review	124
Historical City Design Standards.....	124
Design Review Process in Other Cities	125
Conclusions.....	126
Objectives and Implementation Policies.....	127
XII. Historic Preservation	129
Federal and State Law.....	129
Registration of Historic Properties and Sites	130
Potential Candidates for Historic Resource Designation.....	133
Objectives and Implementation Policies.....	137

XIII. Downtown Alternatives.....	138
Background on Downtown Economic Trends	138
Reduced Downtown Alternative	145
Mixed Use Alternative	154
Commercial / Residential Alternative.....	163
Commercial Recreation Land Use Alternative	168
Local Resident-Serving Commercial Alternative	175
Residential Alternative.....	180
Status Quo Alternative.....	186

XIV. Appendices

Appendix A - Statistical Analysis of General Plan Designations
Appendix B - Definitions of Conditionally Permitted Uses
Appendix C - Hotel and Motel Definitions
Appendix D - Summer Downtown Parking Demand Survey
Appendix E - Market Survey Tables
Appendix F - Residential Parking Demands
Appendix G - Coastal Related Land Uses Associated with the Downtown

INTRODUCTION

The purpose of this book is to provide a comprehensive overview of the current state of research in the field of artificial intelligence. It is intended for researchers, students, and practitioners who are interested in the latest developments in this rapidly evolving field. The book covers a wide range of topics, including the foundations of AI, machine learning, natural language processing, computer vision, and robotics. It also discusses the ethical and societal implications of AI, as well as the challenges and opportunities ahead. The book is written in a clear and concise style, making it accessible to a broad audience. It is hoped that this book will serve as a valuable resource for anyone looking to stay up-to-date on the latest in AI research.

INTRODUCTION

1. The history of AI
2. The foundations of AI
3. Machine learning
4. Natural language processing
5. Computer vision
6. Robotics

The field of artificial intelligence (AI) has seen rapid growth and development in recent years. This growth is driven by advances in computing power, data availability, and algorithmic innovation. AI is now being applied in a wide range of domains, from healthcare to finance, from transportation to entertainment. The potential of AI is vast, and it is expected to continue to shape the future of society. However, there are also concerns about the ethical and societal implications of AI. It is important to ensure that AI is developed and used in a responsible and transparent manner. This book aims to provide a comprehensive overview of the current state of AI research, covering the foundations, applications, and challenges of the field. It is intended for researchers, students, and practitioners who are interested in the latest developments in AI. The book covers a wide range of topics, including the history of AI, the foundations of AI, machine learning, natural language processing, computer vision, and robotics. It also discusses the ethical and societal implications of AI, as well as the challenges and opportunities ahead. The book is written in a clear and concise style, making it accessible to a broad audience. It is hoped that this book will serve as a valuable resource for anyone looking to stay up-to-date on the latest in AI research.

The book is organized into several chapters. Chapter 1 provides an overview of the history of AI, from its early beginnings to the current state of the field. Chapter 2 discusses the foundations of AI, including the concepts of intelligence, learning, and reasoning. Chapter 3 covers machine learning, which is a subset of AI that focuses on the development of algorithms that can learn from data. Chapter 4 discusses natural language processing (NLP), which is the study of how computers can understand and generate human language. Chapter 5 covers computer vision, which is the study of how computers can interpret visual information. Chapter 6 discusses robotics, which is the study of how computers can control physical systems. Chapter 7 discusses the ethical and societal implications of AI, including issues of privacy, security, and employment. Chapter 8 discusses the challenges and opportunities ahead for AI research. The book is written in a clear and concise style, making it accessible to a broad audience. It is hoped that this book will serve as a valuable resource for anyone looking to stay up-to-date on the latest in AI research.

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INTRODUCTION

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LEGAL AUTHORITY

The General Plan is a comprehensive planning document which serves as the officially adopted statement of local policy regarding each community's future growth. Government Code Section 65300 requires every city and county to draw up and adopt "a comprehensive, long-term general plan for the physical development" of the community. The community's General Plan must contain at least the following seven mandatory elements listed in Government Code Section 65302:

1. Land Use Element
2. Circulation Element
3. Housing Element
4. Conservation Element
5. Open Space Element
6. Noise Element
7. Safety Element

The State mandated requirements for the Land Use Element are set forth in Government Code Section 65302(a), which states that the General Plan shall include "a land use element which designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, and other categories of public and private uses of land. The land use element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan. The land use element shall identify areas covered by the plan which are subject to flooding and shall be reviewed annually with respect to those areas." Furthermore, Government Code Section 65303 states that "the general plan may . . . address any other subjects which, in the judgment of the legislative body, relate to the physical development of the county or city."

The Land Use Element has the broadest scope of the seven mandatory elements. It is often perceived as the most representative element of the General Plan since its goals, objectives, policies and programs relate directly to the other elements. It theoretically sets forth a set of coherent development policies for all local land use issues. As an integral part of the General Plan, the Land Use Element should be a document that is primarily concerned with the future development of the community.

According to the General Plan Guidelines prepared by the State Office of Planning and Research, the legal requirements for an adequate Land Use Element are as follows: (1) the land use

diagram (map); (2) standards for population density; (3) standards for building intensity; (4) identification of future solid waste disposal sites (if applicable); and (5) a discussion of the relationship between the Land Use Element and the Circulation and Noise Elements.

LAND USE DIAGRAM

The Land Use Diagram is a conceptual map that shows the specific land use designations for all properties within the community boundaries. The Land Use Element should contain a sufficient number of land use categories to conveniently classify the various land uses identified by the General Plan. It is not necessary that there be an equal number of land use designations and zoning classifications, since it is sometimes appropriate to have more than one zoning classification consistent with a particular land use designation.

Based on the ruling from Las Virgenes Homeowners Association v. Los Angeles County (1986), the Land Use Diagram is intended to be used as a general guide to land use distribution and need not be a parcel specific map to be considered legally adequate. As with all General Plan diagrams, the Land Use Diagram must be consistent with the General Plan text.

POPULATION DENSITY

Although a General Plan must contain standards for population densities, the courts and the State legislature have not precisely defined this standard. Twain Harte Homeowners Association v. Tuolumne County (1982), which is considered the landmark case for this issue, defined population density as the "numbers of people in a given area and not the dwelling units per acre, unless the basis for correlation between the measure of dwelling units per acre and numbers of people is set forth explicitly in the plan."

The General Plan Guidelines state that quantifiable standards of population density must be provided for each General Plan land use category, which "can best be expressed as the relationship between two factors: the number of dwellings per acre and the number of residents per dwelling." This latter requirement is easily obtainable under the title "Average Persons Per Household" from either the State Department of Finance estimates of the U.S. Census.

Maximum dwelling units per acre has become the most commonly used standard for residential land uses designations. The linkage between Average Persons Per Household and dwelling units per acre provides a convenient standard that is both easy to quantify and understandable to the public.

While readily applicable to residential land use designations, population density standards may also be used for nonresidential categories, although this is not a legal requirement. However, the widely diverse employment and other human resource demands

for various commercial and industrial land uses make it difficult to accurately estimate daily population usage for these land uses.

BUILDING INTENSITY

The Camp v. County of Mendocino (1981) decision held that an adequate General Plan must contain standards for building intensities. To date, the Twain Harte court case has provided the most complete interpretation of "building intensity," which includes the following requirements:

1. Building intensity must be defined in quantifiable terms for each land use designation;
2. Generalized land use titles such as "commercial recreation" or "neighborhood commercial" are by themselves insufficient measures of building intensity; and
3. Building intensity is not synonymous with population density.

The courts have not provided any precise definitions of proper building intensity measurements since intensity is often dependent upon local planning conditions. Building intensity may be based upon a combination of such variables as maximum dwelling units per acre, height and size limitations, and use restrictions.

The General Plan Guidelines recommend that each building intensity standard include these variables: (1) permitted land uses and building types; and (2) concentration of use. Permitted uses and building types is a qualitative measure while concentration of use can be defined by one or more quantitative measures that relate directly to physical development. For residential land use designations, maximum dwelling units per acre is considered an acceptable building intensity standard. For commercial and industrial land use designations, floor area ratio (FAR) is recommended as a useful and convenient intensity measure. FAR is the mathematical ratio of the building floor area to the total area of the building site. For limited development land uses such as open space or recreational designations, the dual standard of maximum lot coverage and maximum building height is suitable.

SOLID WASTE SITES

Since the purpose of the Land Use Element is to designate the proposed general distribution and general location and extent of land uses, this Element must identify future solid waste sites. If the community has no designated sites for future solid waste disposal, this should be noted in the Element.

RELATIONSHIP TO CIRCULATION AND NOISE ELEMENTS

Based on recent court decisions, the General Plan must reflect both the anticipated level of land development (represented in the Land Use Element) and the road system necessary to serve that level (represented in the Circulation Element). The court in Concerned Citizens v. Calaveras County held that the road system proposed in the Circulation Element must be "closely, systematically, and reciprocally related to the Land Use Element."

Government Code Section 65302(f) states that the Noise Element is to be used as "a guide for establishing a pattern of land uses in the Land Use Element." The Camp decision determined that when the Noise Element is inadequate, the Land Use Element may also be invalid.

While the relationship between the Land Use Element and the Noise and Circulation Elements deserves emphasis, this discussion should not be interpreted as implying that other General Plan elements may be inconsistent with the Land Use Element. Government Code Section 65300.5 clearly states that "the general plan and elements and parts thereof comprise an integrated, internally consistent and compatible statement of policies for the adopting agency." All elements of the General Plan have equal legal status and all general plan elements, whether mandatory or optional, must be consistent with each other.

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CURRENT LAND USE ELEMENT

CURRENT LAND USE ELEMENT

The Land Use Element in its current form was originally adopted in 1967 and has since been subject to several revisions. The Land Use Element has been slightly modified since the 1979 revision. These recent text changes are as follows: (1) lowering the maximum density in the High Density land use designation to 33 dwelling units per acre from 40 units per acre; (2) replacing the Multi-Use Corridor designation with the Commercial Corridor designation; (3) adding an Industrial land use designation; (4) adding a Specific Plan Area land use designation; and (5) adding definitions for the following terms: mixed residential/commercial, public open space acquisition overlay, and public beach parking.

In its present form, the City's Land Use Element does not meet the minimum requirements of State law as set forth in Government Code Section 65302(a) and discussed in the General Plan Guidelines by the Office of Planning and Research (OPR). The basic requirements for a legally adequate Land Use Element, as discussed in the Introduction section of this Land Use Element revision, involve the following components: (1) the land use diagram; (2) standards for population density; (3) standards for building intensity; (4) identification of future solid waste disposal sites (if applicable); and (5) a discussion of the relationship between the Land Use Element and the Circulation and Noise Elements. The present Element's compliance with these required components is discussed below.

LAND USE DIAGRAM

While the City's General Plan Map (as amended) adequately displays the various land use designations of all properties in the City, the Land Use Element text is not consistent with these designations. These discrepancies, which reflect deficiencies in the Land Use Element document rather than the diagram, are as follows:

Mobile Home Park - Although the diagram includes this land use designation, there is no mention of mobile home land uses anywhere in the text.

General Commercial - The only text reference to this land use designation is in the "Commercial Areas" paragraph on page 84. Commercial Areas, which is not included in the General Plan Map, is discussed in the text as a separate land use designation that includes "general commercial uses, the Central Business District, and related activities." It is not clear from the Land Use Element text whether this "Commercial Areas" designation is intended to represent the General Commercial designation on the diagram.

Additionally, the downtown commercial district, which is designated General Commercial in the General Plan Map, is discussed in the text (page 84) separately from the other commercial designations under the heading of the "Central Business District." This discussion delineates the downtown boundaries and asserts that the "concept of the General Plan is to recreate the downtown area into an unusual community shopping center, supplying the basic shopping needs of the City's residents and also supplying the needs of beach visitors." It is unclear from the Land Use Element text whether the "Central Business District," which is not included in the General Plan Map, was intended to be a separate land use designation.

Open Space - The land use diagram includes all community facilities, e.g. schools, government facilities, with all parks and open space areas in the Open Space land use designation. The current Land Use Element text, however, separates these uses into two distinct designations: (1) Community Facilities and Related Land Uses; and (2) Parks and Open Space.

POPULATION DENSITY

The Land Use Element has no deficiencies related to population density. The City's present standard of maximum dwelling units per acre is the most commonly used population density standard for residential designations and meets the minimum legal requirements for this Land Use Element component. However, the State OPR General Plan Guidelines recommends a correlation between the maximum dwelling unit standard and estimates of the number of persons per dwelling unit, e.g. the average persons per household in City from the 1990 Census, to clearly establish a density standard that better expresses the number of residents intended for a given area. This approach will be discussed further in this Land Use Element revision.

BUILDING INTENSITY

The most significant deficiency in the current Land Use Element is the complete lack of any building intensity standards for nonresidential land use designations. While the population density standard of maximum dwelling units per acre is also legally acceptable as a residential building intensity standard, the commercial, industrial and community facilities designations provide only generalized descriptions of permitted land uses with no quantifiable standards for building development.

As discussed in the Introduction section to this Land Use Element revision, previous court cases have established that an adequate general plan must contain standards for building intensity. However, the courts have demurred from defining proper building intensity measures. OPR recommends floor area ratio (the ratio of building floor area to the total site area) as an appropriate and useful measure of commercial and industrial building intensity. A standard combining maximum lot coverage and maximum

building height is considered suitable for areas intended for limited development, such as open space/public facility land uses.

SOLID WASTE SITES

While the courts have held that the general plan is not required to identify existing solid waste disposal sites, the Concerned Citizens v. Calaveras County (1985) decision ruled that since the purpose of the land use element is to designate "the proposed general distribution and general location and extent" of land uses, this element must identify future sites.

The current Land Use Element has no deficiencies in regard to solid waste disposal sites since no future disposal sites have been proposed since the 1979 amendment.

RELATIONSHIP TO CIRCULATION AND NOISE ELEMENTS

State court cases have identified the reciprocal relationship between the Land Use Element and the Circulation and Noise Elements. This Land Use Element update will provide a linkage between these Elements to establish a legally adequate reciprocal relationship.

OBJECTIVES AND IMPLEMENTATION POLICIES

PRIMARY OBJECTIVE 1: Revise the City's Land Use Element text to: (1) include discussion on the general types of permitted uses for the Mobile Home Park, General Commercial, and Open Space land use designations; and (2) include building intensity standards for all nonresidential land use designations.

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**INCONSISTENCIES BETWEEN ZONING AND GENERAL
PLAN MAP**

INCONSISTENCIES BETWEEN ZONING MAP AND GENERAL PLAN MAP

LEGAL BACKGROUND

Government Code Section 65860(a) requires consistency between a local government's zoning map and general plan land use diagram (a diagram is a generalized land use map rather than a parcel specific map). A city's zoning ordinance is deemed consistent with its general plan when: (1) the city has officially adopted such a plan; and (2) the various land uses authorized by the zoning ordinance are consistent with the objectives, policies, uses, and programs specified in the general plan. Any resident or property owner may initiate legal action to require that a city revise an inconsistent zoning ordinance as necessary to bring it into general plan consistency, and conditional use permits or other discretionary actions cannot be granted under inconsistent zoning ordinances.

Local government efforts to remediate inconsistencies between the zoning ordinance and general plan do not require that the zoning map must always be amended to conform to the general plan map. If a determination can be made that the existing zoning properly reflects current land use patterns, the character of the surrounding properties, and/or desired future development patterns, the general plan map may be amended to conform with the zoning map.

While both the zoning map and the general plan map should reflect a similar pattern of land use distribution, the California Office of Planning and Research (OPR) General Plan Guidelines states that the maps need not be identical if the general plan text provides for flexibility of interpretation. For example, a general plan land use diagram may designate an area for residential development while the zoning map may show the same area as predominately residential with a few pockets of commercial uses. Despite the residential designation, the commercial zoning could be found consistent with the general plan if the general plan text specifies policies and standards for neighborhood commercial development within residential areas and if the commercial zoning does not violate other general plan policies regarding commercial areas.

EXISTING INCONSISTENCIES

The following table lists all properties within the City that have zoning designations which are presently inconsistent with the General Plan land use designations.

TABLE 1
ZONING INCONSISTENCIES

<u>Area</u>	<u>Address</u>	<u>Zoning</u>	<u>General Plan</u>
1	737, 739 Longfellow Ave.	R-1	GC
2	734, 736, 738, 740, 744 Longfellow Ave.; 733, 735, 737, 739 30th St.	R-1	GC
3	1645 Valley Drive	R-3	OS
4	803, 805, 807, 809, 811, 813, 815, 817, 819 18th St.; 802, 804 19th St.; 1818, 1820, 1822, 1830, 1834, 1840, 1850 Pacific Coast Hwy.	R-2	CC
5	1906, 1918, 1924, 1934 Pacific Coast Hwy.	R-2	CC
6	825, 827, 831, 833, 835, 841, 844 13th St.; 830, 840, 850 14th St.	R-2	GC
7	1235, 1245, 1251, 1255 Prospect Ave.	C-3	LD
8	725 10th St.; 730 11th St.	C-3	MD
9	603 1st Pl.; 620 2nd St.; 112, 138, 142 Ardmore Ave.	M-1	MD
10	603, 605, 607, 609, 611, 613, 615, 623 3rd St.; 322, 330, 342 Ardmore Ave.	M-1	MD
11	611, 615, 635 4th St.; 422-436 Ardmore Ave.	M-1	MD

The exact location of all inconsistently zoned properties are shown in reference maps, one for each planning area, included at the end of this section.

ANALYSIS AND RECOMMENDATIONS

AREA 1

Addresses: 737, 739 Longfellow Ave.

Lot Numbers: Lots 4, 5, 6, and the eastern half of lot 7 of Southern California Convention Hall and Marine View Park Tract

These properties are presently zoned R-1 One Family Residential but designated GC, General Commercial, in the General Plan Land Use Map. These properties were included in a 1988 rezoning effort (ZC 87-11) as part of Rezoning Area #5. Both properties were already fully developed in conformity with the single-family residential character of the surrounding neighborhood. At the October 18, 1988 Planning Commission meeting, staff reported that rezoning these properties to conform with its commercial General Plan designation would be unrealistic due to the following: (1) the area is presently residential in character; (2) because of the multiple ownership of these properties, a "hodge-podge" mixture of commercial and residential developments could result; and (3) a commercial zoning could result in undesirable development that can only be accessed on a local street with no frontage on Pacific Coast Highway. The Planning Commission voted at this meeting to amend the General Plan designation from GC General Commercial to LD Low Density Residential. The City Council, at its November 22, 1988 meeting, voted to retain the R-1 zoning and to include with the General Plan revision study.

Proposal for Area 1

Both properties are currently occupied by residential uses that conform to the character of the surrounding residential neighborhood. Due to the existing uses and the reasons cited above, the most appropriate land use revision would be a General Plan redesignation to LD Low Density Residential from GC General Commercial.

AREA 2

Addresses: 734, 736, 738, 740, 744 Longfellow Ave.; 733, 735, 737, 739 30th St.

Lot Numbers: Lots 116, 117, 118, 119, 120, 121, 128, 129, 130, 131 of Southern California Convention Hall and Marine View Park Tract

These properties, zoned R-1 One Family Residential and designated GC General Commercial under the General Plan, were also included in Rezoning Area #5 from the 1988 rezoning study (ZC 87-11). These properties, which are all single-family residential, were also subject to the same Planning Commission and City Council determinations.

Proposal for Area 2

Since these properties are also single-family residential in character and surrounded by a single-family residential neighborhood, the same factors discussed for Area #1 also hold true for this area. Therefore, the most appropriate land use revision would also be a General Plan redesignation to LD Low Density Residential from GC General Commercial.

AREA 3

Address: 1645 Valley Drive

Lot Numbers: Lots 1-20 of the Hermosa Garden Tract and Lot 10 of Block 71 to the Second Addition to Hermosa Beach

These properties represent the grassy undeveloped northerly portion of the Hermosa Valley School site. Currently owned by the Hermosa Beach School District, these properties are zoned R-3 Multiple-Family Residential with an OS Open Space General Plan designation. The existing and anticipated future uses of these properties are public in nature, specifically educational buildings and playgrounds, rather than residential.

Proposal for Area 3

The subject properties are an integral part of the Hermosa Valley School property. Since a local voter initiative was approved to designate the school properties OS Open Space on the General Plan map, the most appropriate action would be to rezone these properties to OS Open Space.

AREA 4

Addresses: 803, 805, 807, 809, 811, 813, 815, 817, 819 18th St.; 802, 804 19th St.; 1818, 1820, 1822, 1830, 1834, 1840, 1850 Pacific Coast Hwy.

Lot Numbers: Lots 1, 2, 3, 26, 27 and 28 of Johnson and Newman's Camino Real Tract; Lots 1, 3, 4 and 5 of Tract No. 6054

These properties, zoned R-2 Two-Family Residential and designated CC Commercial Corridor General Plan designation, are located in the only portion of Pacific Coast Highway that is predominately residential in character (between 17th and 21st Streets). These properties are part of the properties located on the east side of Pacific Coast Highway between 18th and 20th Streets that were rezoned to R-2 Two-Family Residential from R-3 Multi-Family Residential by the City Council on June 12, 1990 (Ordinance No. 90-1031) based on the findings that: (1) rezoning the properties to commercial uses would be inappropriate due to the existing residential character; (2) rezoning to R-2 would prevent the construction of commercial projects which could potentially impact adjacent residential neighborhoods; and (3) the character of residential development allowed under the R-2 zoning would be compatible with the surrounding residential development.

Proposal for Area 4

Since these properties are residential in character and part of the residential neighborhood fronting Pacific Coast Highway, the most appropriate revision would be a General Plan redesignation to MD Medium Density Residential.

AREA 5

Addresses: 1906, 1918, 1924, 1934 Pacific Coast Hwy.

Lot Numbers: Lots 1, 2 and 3 of Tract No. 8476; Lots 62, 63, 64 and the western one-third of 61 of Tract No. 2548

These properties, which all contain single-family residences, are presently zoned R-2 Two-Family Residential and designated CC Commercial Corridor. These properties were also included in the June 1990 rezoning to R-2 from R-3 through the City Council adoption of Ordinance No. 90-1031.

Proposal for Area 5

These properties are also residential in character and part of the residential neighborhood fronting Pacific Coast Highway. Therefore, the most appropriate revision would also be a General Plan redesignation to MD Medium Density Residential, for the same reasons as noted for Area #4.

AREA 6

Addresses: 825, 827, 831, 833, 835, 841, 844 13th St.; 830, 840, 850 14th St.

Lot Numbers: Lots 4, 5, 6 of Hermosa Knob Hill Tract; Lots 5, 8, 9, 11, 12 and a portion of lot 10 of Tracy Tract

All properties, with the exception of Tracy Tract lot #11, are presently zoned R-2 Two-Family Residential with a GC General Commercial designation. Tracy Tract lot #11 is zoned R-1 One-Family Residential with a GC General Commercial designation.

Proposal for Area 6

These properties are all an integral part of a residential neighborhood located along the local streets that connect with the Aviation Boulevard and Pacific Coast Highway commercial corridors. Since the properties are currently residential in character and compatible with the density of the surrounding residential neighborhood, the commercial General Plan designation should be revised to reflect current zoning and development conditions. All properties, with the exception of Tracy Tract #11, should have a MD Medium Density designation for consistency with the present R-2 zoning. Tracy Tract lot #11, which is zoned R-1 with a GC General Commercial designation, should have a LD designation for consistency with its current zoning and the surrounding residential neighborhood General Plan designation, and also for those factors noted for Area #1.

The portion of Tracy Tract lot #10 zoned R-3 is inconsistent with the remaining portion of this parcel, which is zoned GC General Commercial. The General Plan designation for the entire parcel is GC General Commercial. Since zoning district boundaries cannot bisect a single parcel, the zoning on this small portion

of Tracy Tract lot #10 should be revised to GC General Commercial for consistency with both the remaining parcel's zoning and General Plan designation.

AREA 7

Addresses: 1235, 1245, 1249, 1251, 1255 Prospect Ave.

Lot Numbers: Lots 31, 32, 35, 36, 39 and 40 of Hermosa Heights Tract

These properties are currently zoned C-3 General Commercial, with R-3 potential, and have a LD Low Density General Plan designation. The properties, currently a mixture of multi-family residential and commercial land uses, were originally Area II of a 1990 three area redesignation/rezoning effort (ZC 90-3 and GP 90-3). The staff recommendation to the Planning Commission included a General Plan redesignation to GC General Commercial for 1235 Prospect in recognition of its existing commercial use (the northerly half of Buck's Auto Body Shop). The remaining lots, primarily residential in character, were recommended to be rezoned to R-1 One-Family Residential to conform with the surrounding R-1 neighborhood. At its September 4, 1990 meeting, the Planning Commission postponed consideration of any land use changes to this area until the Land Use Element revision.

Proposal for Area 7

The land use characteristics of these properties have not changed since the 1990 rezoning/redesignation study. It would therefore be appropriate to proceed with staff's original recommendation to: (1) revise the General Plan designation for lot #40 (1235 Prospect Avenue) to GC General Commercial for consistency with its current zoning and its location within the northern edge of the Prospect Avenue/Aviation Boulevard commercial properties; and (2) rezone the remaining properties to R-1 One Family Residential to conform with the predominately residential character of these properties and the surrounding R-1 residential neighborhood north of Aviation Boulevard.

AREA 8

Addresses: 725 10th St.; 730 11th St.

Lot Numbers: Lots 4 and 5 of Tract No. 6851; Lots 4, 5, 6 and 7 of Tract No. 223

Both properties are currently zoned C-3 General Commercial with MD Medium Density General Plan designations. The 11th Street parcel is presently occupied by a church, while the 10th Street parcel is a mobile home park. These two properties lie between commercial properties to the east fronting Pacific Coast Highway and residential properties to the west between 10th and 11th Streets.

Proposal for Area 8

The existing church and mobile home park uses on these properties are inconsistent with the current commercial zoning but would be consistent with a residential zoning compatible with the MD Medium Density designation for both these properties and the surrounding residential neighborhood west of Pacific Coast Highway. It would therefore be appropriate to rezone both properties to R-2 Two Family Residential.

AREA 9

Addresses: 603 1st Pl.; 620 2nd St.; 112, 138, 142 Ardmore Ave.

Lot Numbers: Lots 105, 106, 107, 108, 109 and 100 of Walter Ransom Co.'s Venable Place Tract

These properties are currently zoned M-1 Light Manufacturing with a MD Medium Density General Plan designation. The present uses on these properties are a mix of commercial auto repair, warehouse, office, light manufacturing, and multi-family residential. The surrounding land uses are low to medium density residential.

Proposal for Area 9

The existing land uses on these properties include residential, commercial and light industrial uses. At present, there is no one dominant land use type. These properties have a residential General Plan designation and the surrounding properties are residential in both existing character and in the General Plan land use map. Furthermore, these properties are all fronting on local streets, and were originally allowed a manufacturing zoning due to their proximity to the railroad, which no longer exists. Therefore, the most appropriate action would be to rezone these properties to R-2 Two Family Residential. This rezoning would attain consistency with MD Medium Density land use designation of these properties, which is also the land use designation for most of the surrounding neighborhood. The existing nonresidential uses, which would become nonconforming, would be able to remain in their current state under the new zoning or be able to convert to residential uses.

AREA 10

Addresses: 603, 605, 607, 609, 611, 613, 615, 623 3rd St.; 322, 330, 342 Ardmore Ave.

Lot Numbers: 41, 42, 43, 44, 45, and 46 of Walter Ransom Co.'s Venable Place Tract

These properties are zoned M-1 Light Manufacturing and designated MD Medium Density. The current uses are commercial auto repair shops on Ardmore and single-family and duplex structures on 3rd

Street. The surrounding land uses are low and medium density residential uses along Ardmore Avenue and Open Space along the greenbelt.

Proposal for Area 10

The existing residential and commercial land uses on these properties are all inconsistent with the M-1 zoning. The most appropriate action would be to rezone these properties to R-2 Two Family Residential for the following reasons: (1) the existing MD Medium Density residential General Plan land use designation; (2) the prevalence of residential uses in Area 10; and (3) the existing residential character, and residential General Plan land use designations, of the surrounding neighborhood. As noted for Area #7, the existing uses may remain in their existing state.

AREA 11

Addresses: 611, 615, 635 4th St.; 422-436 Ardmore Ave.

Lot Numbers: 9, 10, 11, 12, 13 and 14 of Walter Ransom Co.'s Venable Place Tract

These properties are zoned M-1 Light Manufacturing and designated MD Medium Density. The current uses are commercial auto repair and office on Ardmore Avenue with single-family residences on 4th Street. The surrounding land uses are low and medium density residential along Ardmore Avenue and Open Space along the greenbelt.

Proposal for Area 11

The present residential and commercial uses of the properties in Area 11 are all inconsistent with the existing M-1 zoning. As with Areas 9 and 10, the existing residential land use designations and residential character of the neighborhood justifies rezoning the Area 11 properties to R-2 Two Family Residential. As noted for Areas #9 and #10, the existing uses may remain in their existing state.

OBJECTIVES AND IMPLEMENTATION POLICIES

PRIMARY OBJECTIVE 1: Obtain consistency between the General Plan map and zoning map for all properties within the City.

Implementation Policy 1.1: Revise the General Plan and zoning map in accordance with the recommendations of this section to attain consistency.

p/zonecon

BUILDING INTENSITY / POPULATION DENSITY

BUILDING INTENSITY/POPULATION DENSITY

LEGAL BACKGROUND

The basic legal requirement for land use element building intensity and population density standards is contained in Government Code Section 65302(a), which states that the land use element shall include "a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan." This requirement was recently confirmed in the Camp v. County of Mendocino (1981) decision as necessary for a legally adequate general plan.

Statutory law does not provide any precise guidelines for establishing adequate building intensity or population density standards, which is undoubtedly intentional in order to give local jurisdictions flexibility in determining their own standards. While recent case law provides some direction, the courts have stopped short of defining proper building intensity standards. The Office of Planning and Research (OPR), in its General Plan Guidelines, cites Twain Harte Homeowners Association v. Tuolumne County (1982) as the case offering the most complete interpretation to date. This court defined population density as the "numbers of people in a given area and not the dwelling units per acre, unless the basis for correlation between the measure of dwelling units per acre and numbers of people is set forth explicitly in the plan." Based on this case, OPR has determined a community must provide quantifiable population density standards for each residential land use category. The relationship between the number of dwelling units per acre and the number of residents per dwelling unit would provide the best indication of population density. Although State law only mandates population density standards for residential land uses, communities may also apply density standards to nonresidential uses for such purposes as regulating daily usages of each land classification.

The major conclusions of the Twain Harte case regarding building intensity are as follows:

1. Building intensity must be defined in quantifiable terms for each land use designation.
2. Generalized land use titles such as "commercial recreation" or "neighborhood commercial" are by themselves insufficient measures of building intensity.
3. Building intensity is not synonymous with population density.

The exact quantifiable measures used to control building intensity can vary considerably, depending upon local planning

conditions. The OPR General Plan Guidelines recommends that each building intensity standard include one or more quantifiable land use concentration measures "that relate directly to the amount of physical development that will be allowed." OPR recommends maximum dwelling units per acre as an appropriate residential building intensity standard. Floor area ratio (FAR), which is the ratio of building floor area to the total site area, is recommended as an acceptable standard for both commercial and industrial uses. For limited development land uses such as open space or recreational designations, the dual standards of maximum lot coverage and maximum building height are recommended by OPR.

Local communities are free to determine their own building intensity standards, provided that the standards are quantifiable and relate directly to physical development on a given site. It is permissible to use a combination of variables such as height and size limitations for a building intensity standard. Various measurable intensity standards are discussed in greater detail later in this section.

EXISTING CITY DENSITY/INTENSITY STANDARDS

The City's current Land Use Element establishes the following standards for residential land uses:

- Low Density - maximum 13 dwelling units per acre
- Medium Density - maximum 25 dwelling units per acre
- High Density - maximum 33 dwelling units per acre

These residential density standards are based on the initiative Ordinance No. 86-846 (Proposition Q), approved by the voters of Hermosa Beach in 1986. This ordinance mandates that any proposal for a density increase above these standards must be approved by a vote of the local electorate. The 1990 Housing Element discusses potential density reduction standards beyond those set forth in Proposition Q (p. 60-1). For this Land Use Element update, it is recommended that residential density standards remain as established by the voter approved Proposition Q.

The 1990 Housing Element also addresses the application of the floor area ratio (FAR) standard, which limits building size in relation to lot size, for residential properties (p. 61-9). A number of FAR standards from nearby communities are provided in the Housing Element for discussion purposes. This Element notes that the City presently has no regulation that directly establishes residential bulk limitations, although zoning standards regarding height, lot coverage and open space indirectly control bulk. No residential building intensity standards are recommended in the Housing Element.

The standard of maximum dwelling units per acre is considered acceptable for both residential population density and building intensity by OPR. However, while this single standard is as far as most communities go in land use element density regulations, there is no correlation between population and units per acre explicitly stated in the text, as required by the Twain Harte

decision. Furthermore, the current Land Use Element does not have any population density or building intensity standards for the Mobile Home Park designation. The City may wish to consider establishing a linkage between population and dwelling units. One possible approach would be to maintain current densities through dwelling unit/acreage controls, based on the Census average number of persons per household. The 1990 Census reported a Citywide average of 1.98 persons per occupied housing unit (this average is not broken down per zoning district). According to the California Department of Finance 1992 E-5 Summary Report, the City has a total of 77 mobile homes. The City's two mobile home parks total approximately 8.2 acres, resulting in an average density of 9.4 mobile homes per acre.

The most significant deficiency in the City's current Land Use Element is that there are no population density or building intensity standards for any nonresidential land use category. The only City regulations that directly address overall structural bulk are the floor area ratio standards (maximum 1:1) included in the First Tier zoning code development standards for Specific Plan Areas No. 7 and 8. All other development standards in the zoning ordinance are indirectly related to overall building intensity, e.g. height, lot coverage, open space requirements.

As previously mentioned, there is no legal requirement to provide population density standards for nonresidential designations. Regulation of nonresidential building intensity is solely controlled through zoning ordinance provisions related to height, on-site parking, setbacks and landscaping (for structures adjacent to residential properties only), and in the case of the Open Space designation, lot coverage. While these zoning standards provide some guidance in regulating the amount of structural bulk on nonresidential properties, the absence of such building intensity standards in the Land Use Element presents two problematic conditions:

1. The current Land Use Element does not comply with State law, and therefore is vulnerable to legal challenge.
2. The Land Use Element provides no general guidance to ensure that the individual zoning regulations will actually achieve any desired community character.

The first issue involves legal defensibility. If a land use element is found by the courts to be legally inadequate, other elements of the General Plan could also be invalidated, particularly the circulation and noise elements. While there have been a few recent court decisions that have gone as far as mandating a moratorium on all new building permits until compliance with State law is attained, this situation has resulted from inadequate housing elements rather than land use elements.

The second issue relates to effective long range planning. If zoning standards are not developed as the implementation tools of

General Plan goals and objectives, there may be a failure to link zoning regulations to Citywide concerns such as community character and development potential. This is often the case when generally accepted standards are borrowed from other communities, e.g. parking requirements, with little consideration of how such standards relate to the City's particular land use characteristics. Zoning standards should be accurate indicators of development potential rather than generic development controls that may have unanticipated results, e.g. combination of various height, parking, setback and coverage standards that make commercial development at a practical and desirable intensity impossible to achieve.

VARIOUS COMMERCIAL LAND USE INTENSITY STANDARDS

While population density is the typical measure of intensity for residential uses, structural bulk is the key indicator of intensity for nonresidential uses. The purpose of nonresidential intensity standards is to control the amount of structural bulk on a site or the proportion of the site that may be devoted to development.

Intensity can be interpreted from several perspectives. Some land uses may be considered too "intense" and therefore undesirable for a particular commercial district, e.g. convention center in the City's downtown district. Controlling such intense uses can be adequately achieved through zoning land use standards, e.g. permitted uses. Intensities related to bulk or building volume are typically regulated through controls that address lot coverage and floor area in conjunction with height limitations. The following discussion presents an overview of the various types of intensity measures that can be used to regulate building intensity.

Building Coverage

Building coverage is probably the oldest and by far the simplest bulk intensity measure. This is the same as a zoning control on lot coverage, which sets a maximum percentage of a building site that may be covered by a building footprint. Since this measure only deals with length and width but not depth, this measure can only control bulk if it is applied in conjunction with a height limitation. Building coverage does not relate directly to parking, loading, exterior storage, or other bulk variables related to floor area characteristics.

The City currently regulates building intensity through a combination of zoning standards on building (lot) coverage, parking, height limitations and other zoning standards. While the application of these combined standards provides some control on building intensity, a collection of individual standards does not provide a comprehensive blueprint of the community's nonresidential character and development potential.

Floor Area Ratio

Floor area ratio (FAR) is by far the most popular measure of bulk intensity. While the building coverage standard requires, at the least, an accompanying height limitation standard to adequately address bulk, FAR limits total building volume and allows trade-offs between lot coverage and height within the bulk limits. FAR is defined as a ratio derived by dividing the total floor area of a building by the total site area.

FAR measurements are based either on all gross floor area within the exterior walls or just the leasable floor area within the exterior walls. Nonleasable floor area, which roughly ranges from about 10-15% of gross floor area, includes facilities such as stairs, elevators, corridors, mechanical equipment, toilet rooms, and building maintenance or storage rooms. The percentage of nonleasable floor area in buildings with decorative features such as atriums or interior courtyards can be substantially greater. The distinction in gross v. nonleasable floor area is worth noting since some zoning regulations, e.g. parking, measure net leasable floor area. The City currently measures gross floor area in calculating parking requirements. For the purpose of controlling bulk, FAR measurements need to be based on the exterior dimensions of a building (gross floor area) to provide the best estimation of total bulk.

The major deficiency in using FAR measurements to determine bulk is that buildings with the same FAR can vary substantially in terms of height and lot coverage. Without any additional controls, an FAR of 1:1 would allow a one story building with 100% lot coverage, a two story building with 50% coverage, and so on. The use of atriums and interior courtyards can further distort the relationship between bulk and FAR. Therefore, while FAR is an attempt to address bulk in a three dimensional setting, the measure is actually an application of the two dimensional building coverage measure on a multi-level basis.

Impervious Surface Ratio

The impervious surface ratio (ISR) was developed as both an intensity measure and a performance standard to specifically measure the land devoted to parking and loading areas. ISR is basically an extension of the two dimensional building coverage measure. ISR is defined as the ratio determined by dividing the total area of all impervious surfaces, e.g. parking lots, on a site by the total site area.

By measuring the impact of all land uses on a site, ISR provides more information than building coverage. Since parking lots and storage areas can be constructed with pervious surfaces, however, the definition of "impervious surfaces" should be loosely defined. More importantly, ISR is not a true bulk regulator since it is also a two dimensional measurement. As with building coverage, ISR must be combined with other regulations to effectively control bulk. The main attribute of ISR is to

provide a ratio of the undeveloped land on a site to the developed area.

Landscape Surface Ratio

In the most basic sense, the landscape surface ratio (LSR) is simply the remainder obtained from subtracting the ISR from one, e.g. an ISR of 0.75:1 on a site would mean a LSR of 0.25:1. While LSR can indicate the potential landscaping area available, it is a two dimensional measure that does not address the bulk of landscaped area, which is determined by the type of landscape material, size, or the number of trees and shrubs.

LSR is more applicable to rural and suburban areas, since urban space is often fully paved and characterized by landscaping in planters and other installations with impervious surfaces. For urbanized areas, an appropriate definition of LSR is the area of land devoted to pervious landscaping and plant containers divided by the total site area.

Building Volume Ratio

The building volume ratio (BVR) was recently developed as a response to the problems that can result from trying to regulate three dimensional structures with two dimensional measures such as FAR. BVR is the sum of the volume of all buildings at the exterior walls and the volume of all parking, loading and exterior storage areas divided by total site area. A value of five feet is considered acceptable for calculating the volume of parking areas since most automobiles average about five feet in height (excluding vans and trucks).

A more complex form of BVR involves dividing a constant of 10 by the total sum of all building and ancillary structure volumes, and then dividing by the total site area. The constant 10 is used to produce a BVR numerical value that is closely related to the more familiar FAR. Using this constant, a BVR of one is equal to a building covering an entire site to a height of 10 feet.

BVR is the only standard discussed in recent planning literature that directly measures the actual bulk of all uses on a site. However, combining parking, loading and storage areas with building area produces a ratio that fails to distinguish between the main building and ancillary structures. Therefore, two developments could have the same BVR but have very different ratios of building to ancillary structure volume. For this reason, a simplified version of BVR could be used that just provides a ratio of total building volume at the exterior walls to the total site area.

Landscape Volume Ratio

The landscape volume ratio (LVR) provides a three dimensional measure of all landscaped area in the same manner as BVR measures all bulk on a site. LVR is defined as the volume of all trees,

grasslands and berms divided by the total site area. As with BVR, a constant of 10 is used to derive a figure similar to FAR. In order to calculate LVR, an average height for trees, grasslands and berms must be established in order to determine the total volume (area x average height). The average height is a function of the plant growth rates and the time period desired (present or some future date).

SAMPLE DENSITY/INTENSITY STANDARDS FROM NEARBY COMMUNITIES

The following is a brief overview of population density and building intensity standards from several nearby communities: El Segundo, Manhattan Beach, Redondo Beach, Santa Monica and Torrance. As demonstrated below, the standards used by these communities are the most commonly applied density and intensity measurements.

El Segundo

The City of El Segundo defines land use density as the number of dwelling units per acre, with a minimum lot size for each residential designation, noting that density is generally only used for residential designations. Although not explicitly mentioned in the Land Use Element text, it is assumed that El Segundo also uses units per acre as its residential intensity standard, which is the generally accepted practice. This definition is technically at odds with the Twain Harte decision discussed earlier, in which the court determined that population density refers to the "numbers of people in a given area and not the dwelling units per acre, unless the basis for correlation between the measure of dwelling units per acre and numbers of people is explicitly set forth in the plan." While this is in some regards a minor point, particularly since dwelling units per acre is the most popular density standard, it is still worth emphasizing that a linkage between population and the standard used for measuring population should be included. This could involve using Census data or State Department of Finance estimates on total population or persons per household, which is an easily understandable measure for citywide population. An alternative approach involves determining the average number of bedrooms per dwelling unit for each residential land use designation, and then estimate the average number of persons per bedroom using Census data. This method allows for more accurate estimates for different neighborhoods and/or land use designations in a community, since single family neighborhoods, particularly upscale areas, tend to have a greater number of bedrooms per dwelling unit than multi-family land use designations. However, this approach requires some research efforts to determine average bedroom sizes by land use designation.

Building intensity standards for nonresidential designations, with the exception of the Smoky Hollow Mixed Use area, are based on floor area ratio (FAR), which is defined as the ratio of total building floor area to total lot size. This is by far the most commonly used measure of building intensity for

nonresidential designations. Its popularity is due to two reasons: it is easily understandable by both laymen and professionals; and it is easy to apply to any development. The major drawback with FAR is that it is not an accurate predictor of structural bulk, since the same FAR can apply to a wide variety of buildings with differing heights and footprints. FAR alone is really just a broad indicator of the limits on building intensity. In order to actually control building design, FAR must be used in conjunction with specific standards on height, parking, setbacks, lot coverage, and so on.

In the Smoky Hollow Mixed Use area, nonresidential intensity is defined in terms of Average Daily Trips (ADT) per acre, which El Segundo considers to be a standard that allows for better flexibility of permitted uses. The application of ADT as a building intensity measure, which is unorthodox by conventional planning practices, reflects the high use intensity of permitted land uses in this area, which is primarily light industrial with some office uses. Application of a traffic measurement such as ADT is reasonable only when structural bulk is a secondary consideration to high traffic volumes generated by employees and cargo vehicles, and as such, would not be applicable to a high density bedroom community such as Hermosa Beach.

Manhattan Beach

Residential densities, and presumably building intensities, are based solely on dwelling units per acre. This land use element is also silent regarding any direct correlation between the number of dwelling units and actual population densities. Density standards for each of the three residential land use designations (Low, Medium, and High) vary among the city's six Planning Areas, providing a greater degree of neighborhood density control than typically found in local general plans.

FAR is the only nonresidential building intensity standard for this land use element.

Redondo Beach

While this land use element provides extensive information on the physical characteristics of each land use designation, including type and number of dwelling units, no correlation between population and units per acre is included. The basic land use controls are dwelling units per acre and minimum lot area for residential designations and FAR for nonresidential designations. However, the general plan goals and objectives provide the additional specific land use standards of maximum height and maximum number of stories for both residential and nonresidential land uses. This abundance of land use controls exceeds typical general plan provisions. An advantage of this approach is that it provides greater control over citywide development issues. A disadvantage is that it limits zoning code flexibility for specific areas within the city.

Santa Monica

The density and intensity standards are contained in the goals and objectives section of this land use element. The residential density, and presumably intensity, regulations are a combination of dwelling units per acre, maximum height and maximum number of stories. No correlation is made between units per acre and population densities. Nonresidential intensities are regulated by FAR as well as maximum height and number of stories.

Torrance

The residential density, and presumably intensity, standard is maximum dwelling units per acre. Past Census data going back as far as 1960 is provided for total citywide population, population in households, occupied units, average persons per household, age, and ethnicity. Projections to the years 2000 and 2010 are also included for total population and housing units. This information would appear to be sufficient to satisfy the requirement for correlating population with units per acre stemming from the Twain Harte decision. Nonresidential intensities are solely regulated by FAR.

ANALYSIS AND RECOMMENDATIONS

Residential density standards have not been analyzed in-depth since the City presently uses dwelling units per acre as its standard, which is an acceptable method that is both easy to understand and apply. As previously mentioned, the courts have determined that some correlation should be explicitly stated in the general plan between population density and units per acre. This could be achieved simply by using Census data or State Department of Finance estimates. The Torrance Land Use Element offers a good example of this type of simple correlation. A more ambitious approach would be to determine the average number of bedrooms per land use designation and then estimate total population per residential land use based on Census averages of population per bedroom.

The issue of determining the most appropriate nonresidential intensity standard for the City involves the following considerations:

1. Listing a number of specific controls in the Land Use Element, e.g. height, lot coverage, provides greater direction but limits flexibility in the zoning code.
2. Most popular intensity standards, e.g. FAR, are two dimensional standards that fail to adequately control overall structural bulk. These standards are intended to be no more than guiding principles, with the real implementation of intensity standards left to the zoning ordinance. While this provides considerable flexibility, it also creates the potential for individual zoning standards that conflict with each

other or substantially restrict development opportunities beyond the intent of the General Plan.

3. The newly developed building volume ratio (BVR) offers a three dimensional standard to building intensity that regulates overall mass rather than just the number of floors. However, BVR has not been significantly tested in real world settings. BVR calculations are no more difficult than floor area calculations, but a scale of BVR numerical values has to be carefully reviewed to ensure that all participants understand what the numbers represent in terms of desired building mass.

Most of the intensity standards previously discussed are two dimensional in that only horizontal length and width are regulated. Building coverage simply addresses footprint, while FAR quantifies total floor space in relation to lot size. Most of the other standards discussed provide a means for comparing development features other than building area, e.g. impervious surfaces, landscaping. The only viable alternative to the widely accepted FAR standard is BVR. However, since BVR is a relatively untested measure, it would be advisable to use a widely understood standard such as FAR at the present time for the purposes of bringing the Land Use Element into compliance with State law. A special study could then be conducted to determine if a BVR standard would offer more advantages than FAR in defining structural bulk and development potential.

While incorporating FAR standards into the Land Use Element for nonresidential uses would satisfy State law, it is not an accurate predictor of bulk. If maximum height is also included, the Land Use Element would parallel the zoning code in nonresidential intensity controls, excluding only parking requirements and rear and side setbacks for structures adjacent to residential properties.

The maximum amount of FAR permitted for nonresidential designations is primarily dependent upon the City's position on new development. FAR can be viewed as an incentive to allow innovative architectural features to maximize buildable area or as a restriction to prevent new construction from completely engulfing a property.

An incentive-based orientation would involve allowing an FAR that permits structural bulk beyond what could ordinarily be attained under zoning standards. For example, an FAR of 3:1 would theoretically allow 100% lot coverage for three stories. Under the current C-3 height limitation of 35 feet, this would be the maximum amount of floor space possible. However, the zoning provision for off-street parking would still need to be addressed. While this would typically result in reduced building size to accommodate parking space, the FAR allows for innovations such as underground parking or off-site parking to retain floor space maximization.

Conversely, the FAR could restrict structural bulk potential beyond current zoning controls. For example, an FAR of 2:1 would likely limit most new construction to two stories even though the height limitation allows three stories, given the parking requirements and small dimensions of many commercial properties in the City. **Many of the City's existing commercial and industrial structures are one story buildings that are slightly under an FAR of 1:1. Given the low intensity character of the City's nonresidential building stock, therefore, establishing an FAR of 1:1 for all nonresidential land use designations could be considered appropriate.**

If it is determined by the City that future commercial and industrial development should be allowed the opportunity to maximize developable space, an incentive FAR would be appropriate. If, on the other hand, the City finds it more desirable to limit nonresidential development to protect the residential character of the community regarding potential impacts to view corridors and traffic volumes, it would be more appropriate to adopt a restrictive FAR.

OBJECTIVES AND IMPLEMENTATION POLICIES

PRIMARY OBJECTIVE 1: Bring the Land Use Element into compliance with State law. **S**

Implementation Objective 1.1: Include specific floor area ratios (FARs) for all nonresidential land use designations. Based on the existing development character of nonresidential properties, an FAR of 1:1 should be considered. Proposed developments with an FAR greater than 1:1 would require Planning Commission approval. **S**

Implementation Objective 1.2: Provide a linkage between limits on the number of dwelling units per acre and the desired population by establishing estimates on the average number of persons per dwelling unit. Establish population threshold at buildout using the 1990 Census statistic of 1.98 Persons Per Occupied Housing Unit for the City and the existing residential standards on maximum dwelling units per acre. **S**

Implementation Objective 1.3: Establish density/intensity standard for the Mobile Home Park (MHP) land use designation. The existing low density character of the City's mobile home stock, totaling a gross density of 13.5 units per acre, and the low density structural height and bulk characteristics of mobile homes makes the LD Low Density standard of 13 units per acre appropriate for the MHP designation. **S**

PRIMARY OBJECTIVE 2: Encourage maximum development potential of all nonresidential properties. **N/C**

Implementation Objective 2.1: Establish floor area ratios (FARs) for all nonresidential land use designations (see Implementation Objective 1.1). **S**

Implementation Objective 2.2: Allow off-site public parking and/or private parking within a reasonable distance to satisfy parking requirements. E

p/bldinten

LAND USE DESIGNATION REVISIONS

LAND USE/ZONING DESIGNATION REVISIONS

The purpose of this section is to examine properties where the current General Plan land use and zoning designations result in residential densities or land uses that are inconsistent with the character of the surrounding neighborhood, and/or appear to be obsolete.

ANALYSIS AND RECOMMENDATIONS

Map 11a shows the Citywide location of the two groups of properties studied in this section, which hereinafter are referred to as Areas I and II.

Area I

This is a residential neighborhood designated HD High Density Residential under the General Plan Land Use Element, located at the northwestern corner of the City. This neighborhood is generally bounded by Manhattan Avenue to the east, 27th Street to the south, Hermosa Avenue to the west, and Neptune Street to the north. The specific locations of all properties included within Area I are shown in Maps 11b-11c.

Additional statistical data for Area I is attached at the end of this section as Exhibit A.

Area I

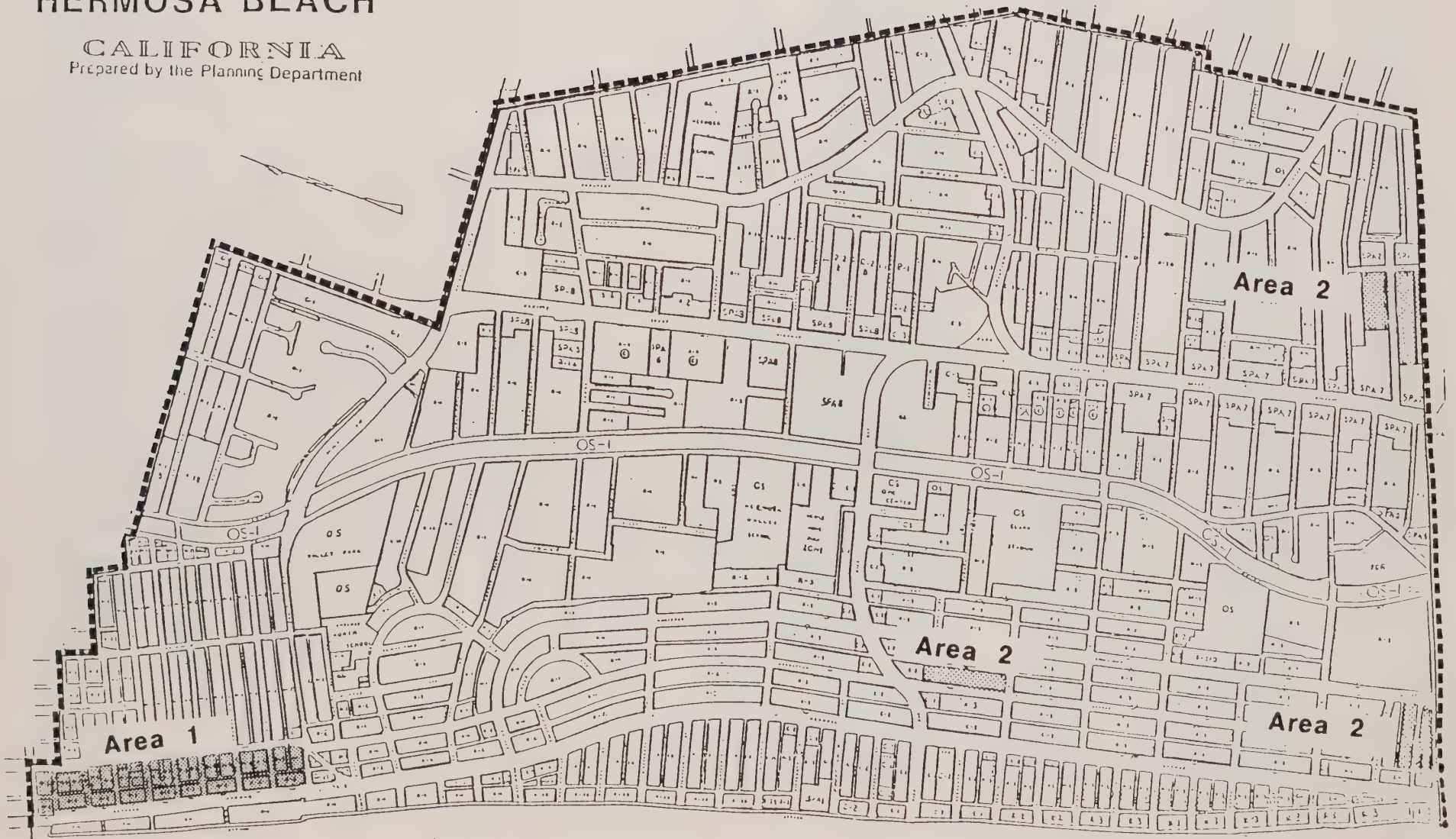
Total Number of Lots	132
Current Number of Units	257
Maximum Units Permitted Under Current General Plan and Zoning	144
Number of Lots with One Unit	59
Number of Lots with Two Units	44
Number of Lots with Three Units	12
Number of Lots Under 1,320 Sq. Ft.	5
Number of Lots Under 2,640 Sq. Ft.	113
Minimum Land Area Needed for 2 Units in a High Density, R-3 Zone Area	2,640 Sq. Ft.

Area I is characterized by residential structures that vary considerably in age and upkeep. While this area is intended to be a high density residential neighborhood, the existing lot configurations do not accommodate high density development. Most

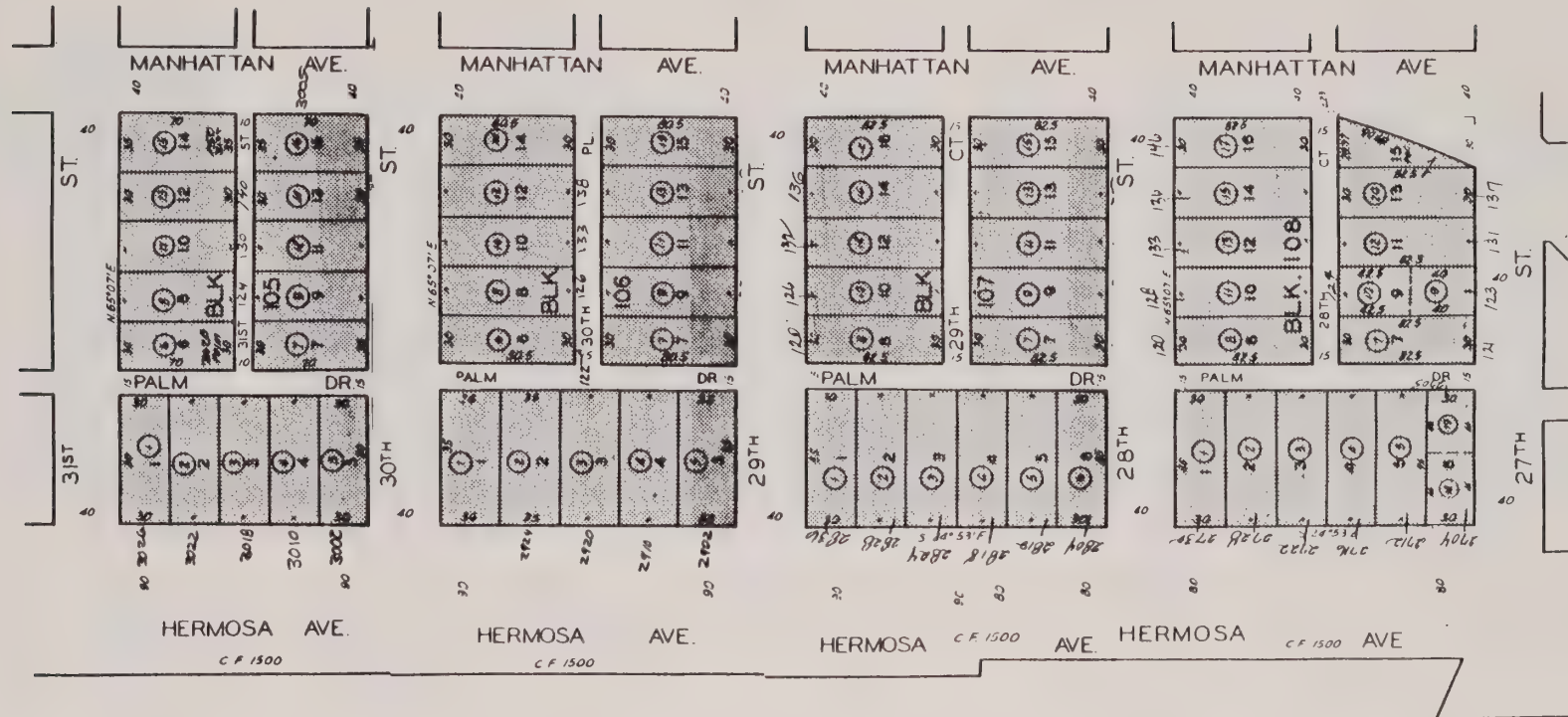
LAND USE DESIGNATION STUDY AREAS
MAP 11a

HERMOSA BEACH

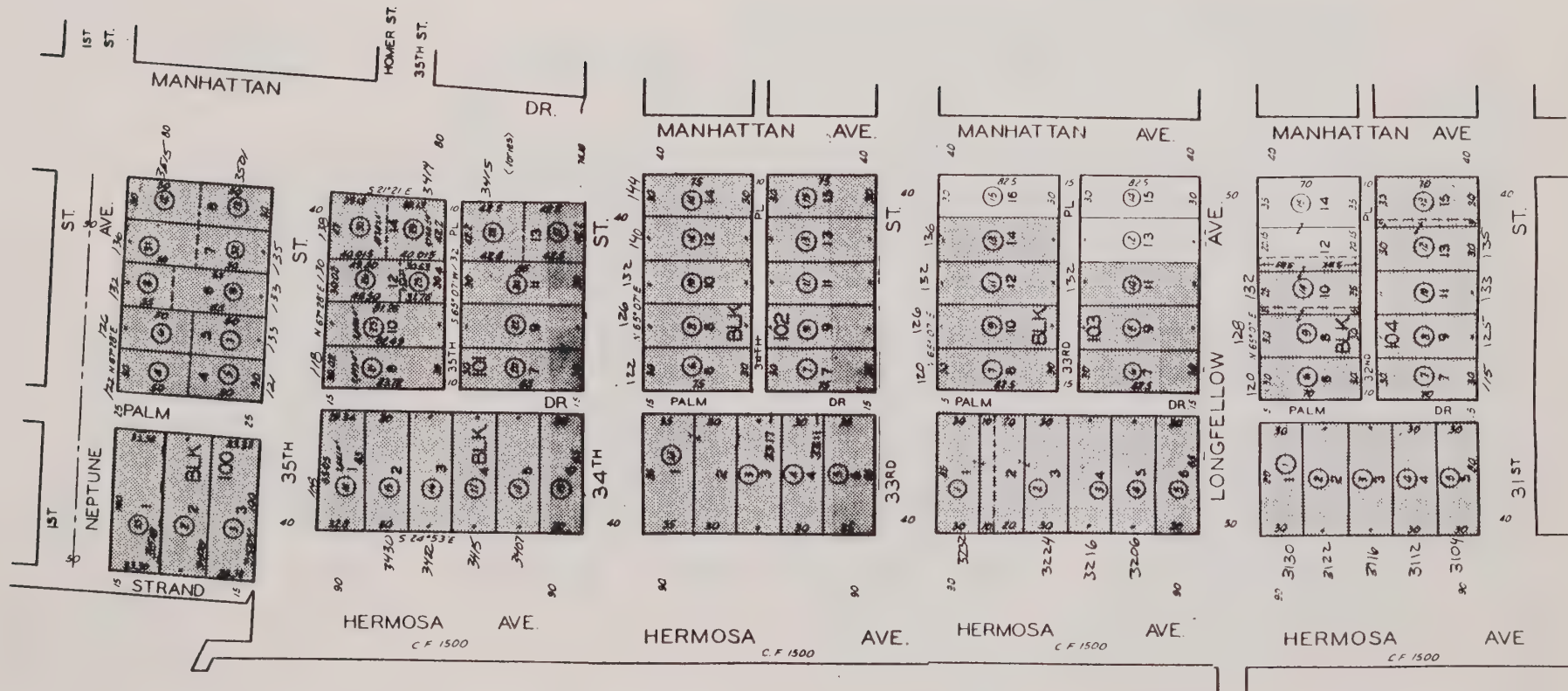
CALIFORNIA
Prepared by the Planning Department



Area 1 Boundaries Map11b



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properties are of inadequate proportions by modern standards for even single family structures, reflecting the early subdivision practices of the City that provided only enough space for a small beach cottage. Out of the total 132 properties in Area I, 104 lots (79%) are between 2,000-3,000 square feet, with 75 lots (57%) between 2,400-2,600 square feet. More importantly, 118 lots (89%) are less than 2,640 square feet and therefore can only accommodate one dwelling unit under the R-3 zoning standards (minimum 1,320 square feet per unit). The breakdown of lot size to maximum permitted units under current R-3 standards is presented below in Table 1a.

TABLE 1a
PROPERTY SIZE/MAXIMUM PERMITTED UNITS

<u>Property Size</u>	<u>Number of Lots</u>	<u>Maximum Total Units</u>
Under 1,320 sq. ft.	5	5
1,320 - 2,639 sq. ft.	113	113
2,640 - 3,959 sq. ft.	12	24
3,960 - 5,279 sq. ft.	1	3
5,280 sq. ft. and over	<u>1</u>	<u>4</u>
TOTAL	132	149

Under current R-3 zoning standards, all existing properties in Area I could only support a maximum of 149 units. However, there are presently a total of 257 units on these properties, 72% greater than the maximum under code. A total of 64 properties (48%) are nonconforming in regard to the existing number of units. Over half (35) of these nonconforming properties are lots with less than 2,640 square feet that contain two unit structures. For all properties with nonconforming structures, 52 (81)% contain structures that are over 30 years old, many of which were originally constructed in the 1920s and 1930s. Another 7 properties have nonconforming structures over 20 years old.

Area I represents the only High Density neighborhood north of 27th Street. The General Plan land use designations for the surrounding residential neighborhoods are LD Low Density and MD Medium Density. The High Density land use designation of Area I is therefore somewhat inconsistent with surrounding areas.

If all Area I properties were merged into one development parcel and all existing residential structures are removed, the total 310,404 square feet of private property in Area I would only yield 235 units, which is 22 units less than the existing total 257 units. However, lot consolidations for higher density new construction coupled with the existing nonconforming structures

could result in higher Area I densities which would be disproportionate with surrounding neighborhood densities.

Since most Area I properties are under 2,640 square feet, only by merging two average properties would enough lot area be available for 3 units under R-3 standards. Two lots of 2,550 square feet (which is larger than 94 of the lots in Area I) each would still result in a 5,100 square foot lot, 180 square feet short of the 5,280 square foot minimum for 4 units by R-3 zoning. Under R-2 standards, the merger of two typical lots would not even provide enough area for the minimum 5,250 square feet needed for 3 units. Using the same example, two lots of 2,550 square feet would be 150 square feet short of the minimum required area. Merging three 2,550 square foot lots would allow for 5 units under R-3 and 4 units under R-2. Therefore, unless lot consolidation is done on a large-scale basis, there would be little difference in units per property between lot mergers under R-2 or R-3.

If Area I was redesignated to MD Medium Density and zoned to R-2 standards, a total of 72 properties (55%), representing all properties presently containing more than one unit, would become nonconforming. Since all properties with more than one unit would be nonconforming under R-2, application of the LD Low Density and R-1 standards would provide the same results. The primary difference between MD and LD downzoning would be a reduction in the height limit from the maximum 30 feet in R-2 and R-3 to 25 feet for R-1 zone. One benefit to redesignating this area LD and rezoning to R-1 is it would fit, i.e. 89% of the Area I lots currently can only have one unit based on the R-3 standard of a minimum of 1,320 square feet of lot area per unit.

One other possible approach would be to create a Specific Plan Area that permits R-3 lot area per dwelling unit, in order to account for the few lots that have enough area for two units, while incorporating the R-1 height limit of 25 feet.

Area II

Area II includes all properties within the City that are designated HD High Density Residential in the General Plan and are zoned R-P Residential Professional. The R-P zoning designation permits residential uses consistent with the High Density land use designation, with development standards under the R-3 zoning, and the following professional office uses, subject to the approval of a conditional use permit: (1) accountants; (2) attorneys; (3) brokers; (4) doctors, dentists and similar professions; (5) engineers, architects, planners; (6) private schools; and (7) real estate agencies.

Additional statistical data for Area II is attached at the end of this section as Exhibit B.

Area II

Total Number of Lots	58
Current Number of Units	183
Maximum Units Permitted Under Zoning	185
Current Number of Commercial Uses	3
Number of Lots Under 2,640 Sq. Ft.	11
Number of Lots Under 3,960 Sq. Ft.	30

Area II consists of three groups of properties currently zoned R-P (see Maps 11j-11l). The first group consists of properties located between First Street and the City's southern corporate boundary to the west of Meyer Court. The second group of properties is bounded by Monterey Boulevard on the east, Herondo Street on the south, Hermosa Avenue on the west, and First Court on the north. The third group of properties are located on the east side of Manhattan Avenue between Pier Avenue and Tenth Street. These properties total approximately 6.1 acres and make up about one percent of all land, excluding streets and the beach, in the City. All existing commercial uses in Area II are listed below in Table 1b.

TABLE 1b
EXISTING COMMERCIAL USES IN R-P ZONE

<u>Address</u>	<u>Business Name</u>
1002 Manhattan Avenue, Suite D	McGivern Surfing
1106 Manhattan Avenue, Suite 4	C. G. III Group
121 Herondo Street	King Harbor Yacht Sales

Although the R-P zone was intended to encourage a mixture of office and residential development, office uses have been infrequent and new office construction has not occurred as a result of this special zoning district. Of the three commercial uses presently in the R-P zone, two are retail rather than office in character. This lack of office use may be partially due to the fact that the R-P zones are located in areas that are predominately residential in character, but the primary reason is probably that there is little demand for additional office space in the City, even with the R-P land use incentive.

Because of the residential character of the properties zoned R-P, the lack of office space demand, the small lot sizes which are not conducive to the needed parking, and the residential density which could result in a office/residential use conflict if offices to any large degree are established, it would be appropriate to eliminate the R-P zone altogether and rezone these

If the R-P zone is not eliminated, then it is necessary to create a new General Plan land use designation for these areas, since the current designation of HD High Density is inconsistent with office development.

Area 2 Boundaries
Map11j

E. 1ST.

ST.

PALM DR.

MONTEREY BLVD.

LYNDON ST.

20 FIRST COURT

40

60

80

100

120

140

160

180

200

220

240

260

280

300

320

340

360

380

400

420

440

460

480

500

520

540

560

580

600

620

640

660

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1020

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1060

1080

1100

1120

1140

1160

1180

1200

1220

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1880

1900

1920

1940

1960

1980

2000

2020

2040

2060

2080

2100

2120

2140

2160

2180

2200

2220

2240

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2280

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4000

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4040

4060

4080

4100

4120

4140

4160

4180

4200

4220

4240

4260

4280

4300

4320

4340

4360

4380

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5080

5100

5120

5140

5160

5180

5200

5220

5240

5260

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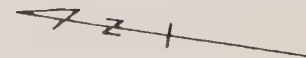
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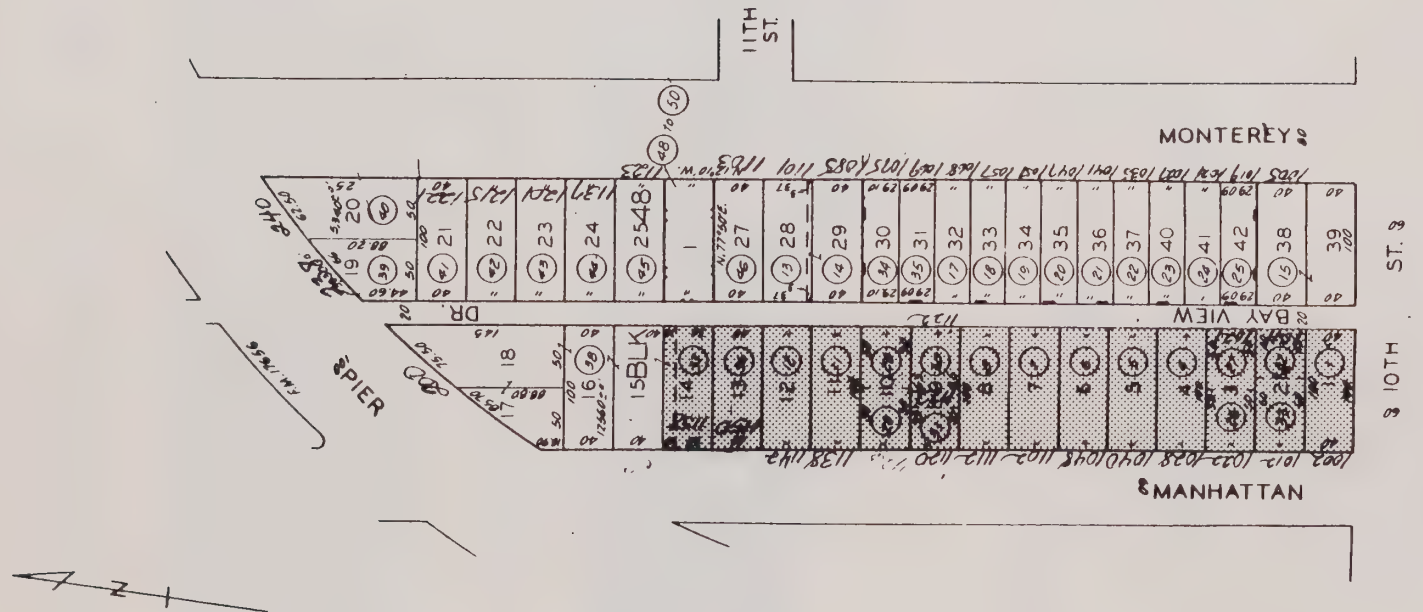
5620

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HERMOSA AVL

Area 2 Boundaries Map11L



OBJECTIVES AND IMPLEMENTATION POLICIES

PRIMARY OBJECTIVE 1: Eliminate R-P zoning and replace with R-3 zoning, or create a new General Plan land use designation for residential/office mixes. **N/C**

Implementation Objective 1.1: Revise zoning map to reflect replacement of R-P zone with R-3 zone, or prepare new text and revise the General Plan Land Use Map for a mixed residential/office designation. **N/C**

PRIMARY OBJECTIVE 2: Examine substandard lots such as the Shakespeare Tract for possible changes in General Plan designation and / or zoning designation and also explore creative design standards such as zero lot lines.

p/revision

Exhibit A

PARCEL NUMBER	STREET NUMBER	STREET NAME	ZONING CODE	GP CODE	LOT SQ. FT.	# OF UNITS	CONDITION	USE
4181033025	132	35 PL	R-3	HD	934	1	average	sfr
4181033008	132	NEPTUNE AVE	R-3	HD	1050	1	good	sfr
4181026009	123-125	27 ST	R-3	HD	1200	2	good	duplex
4181026019	2705	27 ST	R-3	HD	1200	1	average	sfr
4181026010	124	28 CT	R-3	HD	1275	1	good	sfr
4181026018	2704	HERMOSA AVE	R-3	HD	1350	1	average	sfr
4181033026	130	35 ST	R-3	HD	1486	1	average	sfr
4181033004	122-124	NEPTUNE AVE	R-3	HD	1500	2	average	duplex
4181033005	121	35 ST	R-3	HD	1500	1	good	sfr
4181033006	126	NEPTUNE AVE	R-3	HD	1500	1	good	sfr
4181033007	133	35 ST	R-3	HD	1500	1	good	sfr
4181033012	3515	MANHATTAN	R-3	HD	1500	1	good	sfr
4181033013	3501	MANHATTAN	R-3	HD	1500	1	average	sfr
4181033031	136	NEPTUNE AVE	R-3	HD	1500	1	average	sfr
4181033032	135	35 ST	R-3	HD	1500	1	good	sfr
4181033029	3419	MANHATTAN	R-3	HD	1740	1	good	sfr
4181033027	137	34 ST	R-3	HD	1794	2	good	duplex
4181033028	3415-3417	MANHATTAN	R-3	HD	1794	2	average	duplex
4181033030	138-140	35 ST	R-3	HD	1830	2	good	duplex
4181033009	133	35 ST	R-3	HD	1950	1	good	sfr
4181029006	118	31 ST	R-3	HD	2100	2	good	duplex
4181029007	119	30 ST	R-3	HD	2100	1	good	sfr
4181029008	124	31 ST	R-3	HD	2100	1	average	sfr
4181029009	125-126	30 ST	R-3	HD	2100	2	average	duplex
4181029012	133	30 ST	R-3	HD	2100	1	average	sfr
4181029013	140	31 ST	R-3	HD	2100	1	good	sfr
4181029014	135-141	30 ST	R-3	HD	2100	4	average	apt
4181029017	130	31 ST	R-3	HD	2100	1	average	sfr
4181030006	120	LONGFELLOW	R-3	HD	2100	3	average	triplex
4181030007	115-117	31 ST	R-3	HD	2100	2	average	duplex
4181030008	125-127	31 ST	R-3	HD	2100	2	average	duplex
4181030010	133	31 ST	R-3	HD	2100	2	average	duplex
4181030013	3101-3103	MANHATTAN	R-3	HD	2100	2	average	duplex
4181032006	122-124	34 ST	R-3	HD	2250	2	good	duplex
4181032007	121	33 ST	R-3	HD	2250	1	average	sfr
4181032008	126	34 ST	R-3	HD	2250	1	good	sfr
4181032009	125	33 ST	R-3	HD	2250	1	average	sfr
4181032010	132	34 ST	R-3	HD	2250	1	good	sfr
4181032011	133	33 ST	R-3	HD	2250	1	average	sfr
4181032012	140	34 ST	R-3	HD	2250	1	average	sfr
4181032013	125	33 ST	R-3	HD	2250		vacant	vacant
4181032014	144	34 ST	R-3	HD	2250	1	good	sfr

PARCEL NUMBER	STREET NUMBER	STREET NAME	ZONING CODE	GP CODE	LOT SQ. FT.	# OF UNITS	CONDITION	USE
4181032015	3313	MANHATTAN	R-3	HD	2250	1	average	sfr
4181029001	3026-3030	HERMOSA AVE	R-3	HD	2400	3	good	triplex
4181029002	3022	HERMOSA AVE	R-3	HD	2400	4	good	apts
4181029003	3018	HERMOSA AVE	R-3	HD	2400	1	good	sfr
4181029004	3010	HERMOSA AVE	R-3	HD	2400	1	average	sfr
4181029005	3002-3006	HERMOSA AVE	R-3	HD	2400	4	good	apts
4181030001	3130-3031	HERMOSA AVE	R-3	HD	2400	1	average	sfr
4181030002	3122-3124	HERMOSA AVE	R-3	HD	2400	2	good	duplex
4181030003	3116-3118	HERMOSA AVE	R-3	HD	2400	2	average	duplex
4181030004	3112	HERMOSA AVE	R-3	HD	2400	1	good	sfr
4181030005	3102-3104	HERMOSA AVE	R-3	HD	2400	3	good	triplex
4181028006	122	30 PL	R-3	HD	2415	2	good	duplex
4181028007	2912	PALM DR	R-3	HD	2415	1	good	sfr
4181028008	126	30 PL	R-3	HD	2415	1	average	sfr
4181028009	127	29 ST	R-3	HD	2415	1	average	sfr
4181028010	133	30 PL	R-3	HD	2415	2	good	duplex
4181028011	133	29 ST	R-3	HD	2415	1	average	sfr
4181028012	138	30 PL	R-3	HD	2415	3	good	triplex
4181028013	135-137	29 ST	R-3	HD	2415	3	average	triplex
4181028014	142	30 PL	R-3	HD	2415	2	good	duplex
4181028015	2901-2917	MANHATTAN	R-3	HD	2415	4	average	apts
4181030014	132-134	LONGFELLOW	R-3	HD	2440	2	average	duplex
4181029015	150	31 ST	R-3	HD	2450	2	good	duplex
4181029016	3005	MANHATTAN	R-3	HD	2450	1	average	sfr
4181030009	128	LONGFELLOW	R-3	HD	2450	1	average	sfr
4181030012	135-137	31 ST	R-3	HD	2450	2	good	duplex
4181033023	124-126	35 ST	R-3	HD	2456	3	good	triplex
4181026007	121	27 ST	R-3	HD	2475	1	good	sfr
4181026008	120	28 ST	R-3	HD	2475	1	good	sfr
4181026011	126-128	28 ST	R-3	HD	2475	2	average	duplex
4181026012	131-133	27 ST	R-3	HD	2475	2	good	duplex
4181026013	132-133	28 ST	R-3	HD	2475	2	average	duplex
4181026015	135-137	28 ST	R-3	HD	2475	3	good	triplex
4181026017	146	28 ST	R-3	HD	2475	1	average	sfr
4181027007	121	28 ST	R-3	HD	2475	1	average	sfr
4181027008	120-122	29 ST	R-3	HD	2475	2	average	duplex
4181027009	123	28 ST	R-3	HD	2475	1	good	sfr
4181027010	126	29 ST	R-3	HD	2475	4	good	apts
4181027011	131	28 ST	R-3	HD	2475	6	average	apts
4181027012	132-134	29 ST	R-3	HD	2475	2	average	duplex
4181027013	135-139	28 ST	R-3	HD	2475	4	average	bootleg
4181027014	136	29 ST	R-3	HD	2475	1	average	sfr
4181027015	2801-2803	MANHATTAN	R-3	HD	2475	4	average	bootleg
4181027016	2823-2827	MANHATTAN	R-3	HD	2475	3	average	triplex

PARCEL NUMBER	STREET NUMBER	STREET NAME	ZONING CODE	GP CODE	LOT SQ. FT.	# OF UNITS	CONDITION	USE
4181031006	121	LONGFELLOW	R-3	HD	2475	2	good	duplex
4181031007	120	33 ST	R-3	HD	2475	1	average	sfr
4181031008	123	LONGFELLOW	R-3	HD	2475	1	average	sfr
4181031009	126	33 ST	R-3	HD	2475	4	good	apts
4181031010	132	33 PL	R-3	HD	2475	2	average	duplex
4181031011	132	33 ST	R-3	HD	2475	1	good	sfr
4181031013	136-140	33 ST	R-3	HD	2475	4	average	apts
4181033021	118-122	35 ST	R-3	HD	2493	3	good	triplex
4181026001	2732-2738	HERMOSA AVE	R-3	HD	2550	4	good	apts
4181026002	2728-2730	HERMOSA AVE	R-3	HD	2550	3	average	triplex
4181026003	2722	HERMOSA AVE	R-3	HD	2550	1	average	sfr
4181026004	2716	HERMOSA AVE	R-3	HD	2550	1	average	sfr
4181026005	2711-2712	HERMOSA AVE	R-3	HD	2550	2	good	duplex
4181027001	2836-2837	HERMOSA AVE	R-3	HD	2550	2	good	duplex
4181027002	2828-2830	HERMOSA AVE	R-3	HD	2550	3	average	triplex
4181027003	2824	HERMOSA AVE	R-3	HD	2550	1	good	sfr
4181027004	2818	HERMOSA AVE	R-3	HD	2550	1	good	sfr
4181027005	2812-2814	HERMOSA AVE	R-3	HD	2550	2	good	duplex
4181027006	2804	HERMOSA AVE	R-3	HD	2550	2	good	duplex
4181031003	3216	HERMOSA AVE	R-3	HD	2550	1	average	sfr
4181031004	3206-3212	HERMOSA AVE	R-3	HD	2550	2	good	duplex
4181031005	115	LONGFELLOW	R-3	HD	2550	2	average	duplex
4181032003	3317	PALM DR	R-3	HD	2550	1	average	sfr
4181032004	3311	PALM DR	R-3	HD	2550	1	average	sfr
4181033019	111	34 ST	R-3	HD	2550	1	good	sfr
4181033020	121-123	34 ST	R-3	HD	2550	2	average	duplex
4181033022	125	34 ST	R-3	HD	2550	1	average	sfr
4181033024	133	34 ST	R-3	HD	2550	5	good	apts
4181033015	3428-3430	HERMOSA AVE	R-3	HD	2552	2	good	duplex
4181033016	3422	HERMOSA AVE	R-3	HD	2552	1	average	sfr
4181033017	3415-3418	HERMOSA AVE	R-3	HD	2552	4	good	apts
4181033018	3407	HERMOSA AVE	R-3	HD	2552	1	good	sfr
4181033014	108-110	35 ST	R-3	HD	2641	2	average	duplex
4181028002	2924-2925	HERMOSA AVE	R-3	HD	2975	2	average	duplex
4181028003	2920-2922	HERMOSA AVE	R-3	HD	2975	2	good	duplex
4181028004	2910-2914	HERMOSA AVE	R-3	HD	2975	2	good	duplex
4181028005	2901	HERMOSA AVE	R-3	HD	2975	2	average	duplex
4181032005	3302-3304	HERMOSA AVE	R-3	HD	2975	2	average	sfr
4181028001	2934-2935	HERMOSA AVE	R-3	HD	3060	2	average	duplex
4181033002	3510-3512	STRAND	R-3	HD	3330	2	average	duplex
4181033003	3502-3504	STRAND	R-3	HD	3330	3	average	triplex
4181033033	3518-3520	STRAND	R-3	HD	3330	2	good	duplex
4181031001	3232-3236	HERMOSA AVE	R-3	HD	3400	4	average	apts
4181026020	137	27 ST	R-3	HD	3713	6	good	apts
4181031002	3224	HERMOSA AVE	R-3	HD	4250	1	good	sfr
4181032016	3324	HERMOSA AVE	R-3	HD	5525	9	average	apts

Exhibit B

PARCEL NUMBER	STREET NUMBER	STREET NAME	ZONING CODE	LOT SQ. FT	# OF UNITS	BUILD OUT	Max Allowed	Units Over	Nonconforming To Density
4187009031	1120	MANHATTAN	R-P	1400	1		1	0	0
4187009032	1011	BAY VIEW DR	R-P	1600	1		1	0	0
4187009028	1127	BAY VIEW DR	R-P	2000	1		1	0	0
4187009027	1021-1023	BAY VIEW DR	R-P	2000	2		1	1	1
4187009026	1022	MANHATTAN	R-P	2000	1		1	0	0
4187009029	1126	MANHATTAN	R-P	2000	2		1	1	1
4188015049	222	LYNDON ST	R-P	2290	1		1	0	0
4187009033	1010-1012	MANHATTAN	R-P	2400	2		1	1	1
4188015048	216	LYNDON ST	R-P	2420	1		1	0	0
4188015053	161	HERONDO ST	R-P	2554	2		1	1	1
4187009030	1123	BAY VIEW DR	R-P	2600	1		1	0	0
4188015046	152	LYNDON ST	R-P	2680	2		2	0	0
4188015045	146-148	LYNDON ST	R-P	2820	5		2	3	1
4188014060	161	LYNDON ST	R-P	2850	1	1	2	0	0
4188014061	167	LYNDON ST	R-P	2850	2		2	0	0
4188014063	179	LYNDON ST	R-P	2850	1		2	1	0
4188014064	232	LYNDON ST	R-P	2850	2		2	0	0
4188014059	153-156	LYNDON ST	R-P	2850	2		2	0	0
4188014062	1717-173	LYNDON ST	R-P	2850	2		2	0	0
4188015044	144	LYNDON ST	R-P	2950	4		2	2	1
4187009037	1158-1160	MANHATTAN	R-P	3000	3		2	1	1
4188014056	114	LYNDON ST	R-P	3040	1	1	2	0	0
4188015041	124	LYNDON ST	R-P	3340	2		2	0	0
4186026020	965	1 ST	R-P	3369	1	1	2	0	0
4186026019	963	MEYER CT	R-P	3369	7		2	5	1
4186026021	119	MEYER CT	R-P	3369	1		2	1	0
4186026022	121	MEYER CT	R-P	3369	1		2	1	0
4188015040	121	HERONDO ST	R-P	3470			2	2	0
4188015050	226-228	LYNDON ST	R-P	3530	3		2	1	1
4188014065	43-45	LYNDON ST	R-P	3610	2		2	0	0
4187009001	1002	MANHATTAN	R-P	4000	4		3	1	1
4187009004	1028	MANHATTAN	R-P	4000	1	2	3	0	0
4187009005	1040	MANHATTAN	R-P	4000	1	2	3	0	0
4187009006	1048	MANHATTAN	R-P	4000	1	2	3	0	0
4187009008	1112	MANHATTAN	R-P	4000	1	2	3	0	0
4187009011	1138	MANHATTAN	R-P	4000	2		3	1	0
4187009012	1142	MANHATTAN	R-P	4000	5		3	2	1
4187009036	1150	MANHATTAN	R-P	4000	5		3	2	1
4187009007	1102-1106	MANHATTAN	R-P	4000	3		3	0	0
4188014058	145	LYNDON ST	R-P	5700	3	1	4	0	0
4188015057	137	HERONDO ST	R-P	6230	2	2	4	0	0
4186026037	939-945	1 ST	R-P	6716	4	1	5	0	0

PARCEL NUMBER	STREET NUMBER	STREET NAME	ZONING CODE	LOT SQ. FT	# OF UNITS	BUILD OUT	Max Allowed	Units Over	Nonconforming To Density
4186026027	931	1 ST	R-P	6738	1	4	5	0	0
4186026026	937	1 ST	R-P	6738	0	5	5	0	0
4186031006	904	1 ST	R-P	6778	4	1	5	0	0
4186031007	908	1 ST	R-P	6778	4	1	5	0	0
4186031008	916	1 ST	R-P	6778	4	1	5	0	0
4186031070	926	1 ST	R-P	6778	5		5	0	0
4186031010	930	1 ST	R-P	6778	6		5	1	1
4186031011	936	1 ST	R-P	6778	4	1	5	0	0
4186031012	940	1 ST	R-P	6778	8		5	3	1
4186031013	950	1 ST	R-P	6778	7		5	2	1
4186031060	960	1 ST	R-P	6778	4	1	5	0	0
4186031064		1 ST	R-P	6778	5		5	0	0
4186031035	970	1 ST	R-P	6778	12		5	7	1
4188014057	123	LYNDON ST	R-P	8550	4	2	6	0	0
4186026035	957	1 ST	R-P	13475	12		10	2	1
4186031043	848-860	1 ST	R-P	20333	14	1	15	0	0
					183	32	185	42	17

LAND USE AND STRUCTURAL DEFINITIONS

LAND USE AND STRUCTURAL DEFINITIONS

There is presently a need in the City for more precise commercial land use definitions to accomplish the following two goals:

1. Ensure greater predictability of the operating characteristics of both existing and future land uses.
2. Provide stronger land use controls to prevent negative external impacts from business operations to surrounding properties.

These two goals are highly interrelated. A lack of predictability regarding business operations can lead to a number of unforeseen and potentially undesirable consequences. For example, an enterprise with a business license to sell foods intended for off-premise consumption (market) could expand or modify operations, e.g. include on-premise food consumption services (restaurant), without recourse by the City if the land use description on the business license is not specifically defined in the City code. In turn, this land use intensification could result in negative impacts to the neighborhood in terms of traffic congestion, inadequate parking, increased noise, poor air quality, etc.

This section also discusses the considerations involved with determining functional definitions of various structural features, e.g. attic, basement, floor area, grade, loft, and story. These terms are often either vaguely defined or not defined at all, resulting in ambiguities and discretionary interpretations by decision makers. This opens the possibility for the inconsistent application of interpretations that could be legally challenged as arbitrary and capricious. The use of unequivocal structural terminology will assist both City decision makers and developers in better understanding the intent and application of local land use programs and controls.

LAND USE DEFINITIONS

In formulating specific land use definitions, the following factors should be considered, which relate to the inherent operational characteristics and/or the intensification of various uses:

1. Desirability of the land use, e.g. adult business, auto parts salvage.
2. Unfair competition of one land use expanding to include additional land use(s), e.g. pizza delivery operation in supermarket.

3. Incompatibility of a land use with surrounding land uses, e.g. nightclub with live evening performances located adjacent to residential properties.
4. Uses inconsistent with zoning standards, e.g. convenience markets that evolve into combination market/restaurant without adequate off-street parking to accommodate both uses.
5. Public nuisance potential, e.g. parking, traffic, air, noise and lighting impacts, due to intensity of certain land uses or intensification of uses.
6. Potential for increased crime activity, e.g. alcohol-related disturbances.

Incompatible Land Uses

Some land uses that fall within the general classification of commercial retail or commercial service uses may actually have certain inherent operating characteristics that are incompatible with commercial shopping districts. For example, auto body repair shops are a commercial service enterprise that can potentially exhibit industrial characteristics such as loud noises, paint fumes, and outdoor equipment storage. Therefore, even though such uses may be commercial in terms of customer relations (direct access to general public for retail goods/services), the work operations can produce negative external impacts to surrounding properties. Precise, unambiguous land use definitions for all permitted uses can assist in determining whether a specific nonresidential land use should be allowed in commercial corridors or restricted to industrially zoned areas.

Changes in Land Use

A commercial enterprise which modifies or completely changes its original land use usually does so in response to one of the following circumstances:

1. Changes in technology that either modify the stock-in-trade product or render it obsolete.
2. Changes in market demand that make a wholly different product/service more profitable.

Most changes in technology are simply the result in new advances that improve the stock-in-trade product without significantly altering its intended use. For example, compact discs have made records a virtual obscurity. Most retailers with business license classifications as record stores now sell compact discs and rent video tapes, but do not carry records. While this product change is technically inconsistent with the business license classification, both compact discs and records are basically sound reproduction devices for electronic equipment. Video tapes do not fall under this description, but are closely

related to the type of home entertainment provided by sound equipment, which can be generally referred to as types of sensory stimulation devices. Due to similarities in the demographics and spending patterns of music and video consumers, e.g. high representation of teenagers and young adults with available money for discretionary purchases, most record stores have found it profitable to include video rentals in their operations. Therefore, the advancements in sound reproduction technology and the expanding stock-in-trade for "record stores" would make it more realistic to define this type of business in an inclusive manner that incorporates both visual and audio entertainment products. The external land use impacts would not change significantly, since both visual and audio products generally attract the same quantity of customers, which is largely dictated by the amount of floor space devoted to display area.

Changes in market demand can influence businesses to either make minor alterations to their stock-in-trade, expand operations to include new uses, or completely change the original land use. Changes to the primary use would require a revised business license and perhaps require discretionary entitlement approvals if the new land use is a conditionally permitted use or a use intensification in terms of parking requirements. An example of an expanded use would be a stereo/electronics store that adds computer equipment to its stock-in-trade. A business expansion that results in more than one use, whether it be one principal use and minor use(s) or more than one principal use, would create a business known as a dual or multiple use. Dual/multiple uses are a particular concern since this is an intensification that can lead to numerous potential impacts to surrounding land uses.

Dual/Multiple Uses

This section discusses the potential land use planning problems associated with retail establishments in which a portion of the products or services provided are not part of the original or intended primary use. This type of enterprise, which involves dual or multiple uses, generally falls into two major categories: primary/ancillary uses and primary/secondary uses. A primary/ancillary use involves either two or more uses in which the supporting use(s) may or may not be able to exist independently of the primary use(s). Regardless of whether the supporting use(s) could exist as an independent retail activity without the primary use(s), a primary/ancillary use may be defined as follows:

Primary/ancillary use - one principal use and one or more incidental uses that are complimentary and directly related to the principal use.

An example of a primary/ancillary dual use where both uses could exist independently of each other would be a convenience market that also prepares sandwiches for on- or off-premise consumption. A primary/ancillary use in which the ancillary use is dependent upon the primary use typically involves a business that offers various supplies related to its principal stock-in-trade. This

type of ancillary use is subordinate to the primary use in that it provides a direct and dependent support function which enhances the primary use's marketability. Examples would include automobile service stations that sell auto accessories such motor oil and windshield wipers, or video rental stores that also offer tape cleaners and rewinding machines.

The second major type of dual/multiple use involves unrelated uses within the same establishment, which may be defined as follows:

Primary/secondary use - one principal use and one or more minor uses not directly related to the principal use.

A secondary use may be defined as a use subordinate to the primary use but not directly related to the nature of the primary use, e.g. the sale of sandwiches is not related to the sale of automobile gasoline. A secondary use is by definition a wholly different use than the primary use that could survive independently of the primary use, and is subordinate to the primary use in terms of floor space or sales volume; otherwise it would also be considered another primary use.

While it is often easy to distinguish the principal use from the incidental use(s), as with the examples presented above, sometimes it can be difficult to determine if a business has more than one principal use. For instance, some businesses which have full gas station operations and full convenience market facilities would more properly be classified as dual principal uses, e.g. AM/PM mini-mart. In determining a threshold level between a principal use and an incidental use, any of the following criteria could be applied:

1. percentage of total sales;
2. percentage of total building floor area;
3. percentage of total customer service area portion of total floor space; or
4. percentage of total number of products or services offered.

Total percentage of sales volume is most directly related to an establishment's commercial viability. However, this approach requires detailed sales revenue breakdowns from each dual use enterprise that would be difficult, if not legally questionable, for the City to require from businesses. Criteria based on floor space (either total floor space or the portion of customer service area) or number of products/services offered may not provide a realistic appraisal of the retail operations, e.g. adult videos could represent a small portion of total products offered and/or total floor space but a large proportion of total sales volume. Using floor space to distinguish principal from incidental uses provides an easily quantifiable criteria that allows for compliance enforcement simply based on building plans.

Potential Impacts Associated with Dual Uses

The following table presents a summary of the types of impacts that could potentially occur with various dual use establishments.

TABLE 2
POTENTIAL COMMERCIAL DUAL USE IMPACTS

<u>Type of Dual Use</u>	<u>Classification</u>	<u>Potential Impacts</u>
Market with prepared food for take-out only	Primary/Ancillary	- Unfair competition - Inconsistency with business license use description - Parking and traffic impacts
Market with prepared food for take-out only	Dual Principal	- same as impacts for primary/ancillary classification
Market/Restaurant	Primary/Ancillary	- Unfair competition - Inconsistency with business license use description - Parking, traffic, noise, and light impacts
Restaurant/Cocktail Lounge	Primary/Secondary	- Undesirability of cocktail lounge - Incompatibility with surrounding uses - Inconsistency with zoning - Inconsistency with business license use description - Parking, traffic, noise, and light impacts - Increased crime potential
Restaurant/Cocktail Lounge	Dual Principal	- same as impacts for primary/secondary classification
Restaurant/Nightclub	Primary/Secondary	- Undesirability of nightclub use - Incompatibility with surrounding uses - Inconsistency with

		- zoning - Inconsistency with business license use description - Parking, traffic, noise, light impacts - Increased crime potential
Gas Station/Market	Primary/Secondary	- Unfair competition - Incompatibility with surrounding uses - Inconsistency with zoning - Inconsistency with business license use description - Parking, traffic, noise, and light impacts
Gas Station/Market	Dual Principal	- same as impacts for primary/secondary classification
Market/Adult Products	Primary/Secondary	- Undesirability of adult use - Incompatibility with surrounding uses - Inconsistency with zoning - Inconsistency with business license use description - Parking, traffic, noise, and light impacts - Increased crime potential

A. Markets/Restaurants

Commercial establishments that offer both prepared foods and foods intended for preparation at a separate location may involve a business originally intended as a convenience market without food preparation services that at some later date offers prepared foods for either take-out or on-site consumption. Alternatively, some merchants may wish to initiate a food service enterprise that offers both prepared and unprepared foods. The most common example of this type of dual use is a primary/secondary use in which the intended principal use is the sale of unprepared foods for home consumption (market), which also offers prepared items

such as coffee, micro-wave hot sandwiches, hamburgers, hot dogs, and other similar foods (deli, fast-food services).

There are several internal operational characteristics that distinguish prepared food establishments, e.g. restaurants, delicatessens, from unprepared food establishments, e.g. markets, which primarily involve: (1) floor space reserved as dining area, whether occupied by counters or tables; (2) floor space utilized for food preparation, whether a full kitchen facility or a sandwich preparation area; (3) presence of food preparers/servers, e.g. cooks, counter help, waiters/waitresses.

As shown in Table 1, the impacts to surrounding properties from this type of dual use are primarily limited to unfair competition and public nuisance impacts that could result from increased customer activity. The competition issue is to some extent related to inconsistencies with the business license use. Since business license fees are based on the type of commercial activity, the question arises of whether a dual use should be required to pay fees for both uses or should it pay a special dual use fee? The larger question is what minimum development standards should be used to determine whether a commercial property can support a dual/multiple use, e.g. minimum floor area for each use, minimum parking for each use. Is it fair for an existing business to expand into a dual use if it can only meet a single use parking standard?

The most significant land use impact related to all food service establishments involves the public nuisance potential from increased parking demand. Customer parking demands vary considerably among various food-oriented uses. Convenience market customer trips generally tend to be of a much shorter duration than restaurant customer trips. Furthermore, restaurant trips are more concentrated around mealtime hours, while convenience market trips occur throughout the day and intensify in the evening hours. To a lesser extent, the amount of dining area provided can also affect customer demand, since inadequate seating space could discourage potential dine-in customers and encourage more take-out and delivery orders. The type of food establishment also influences employee parking demands, e.g. number of cooks and food servers, since some types of foods require more cooks and some restaurants do not use waiters/waitresses.

Current City parking standards require a minimum of one parking space for each 100 square feet of gross floor area for restaurants (other than walk-up, drive-through and drive-in type restaurants) and one parking space per 50 square feet of gross floor area, with a minimum of ten spaces, for walk-up, drive-through and drive-in restaurants that do not have adequate dining room facilities. Convenience markets, delicatessens, and supermarkets are all considered general retail commercial uses, which are required to provide one space per 250 square feet of gross floor area, even though the customer trip duration is typically much longer for supermarkets than convenience markets. Snack bars/snack shops have the same parking requirements as

restaurants, although the actual parking demand for an individual snack bar is often dependent upon the products sold, e.g. ice cream v. pastries.

Most nearby cities surveyed by staff have parking requirements that are similar to Hermosa Beach. There are, however, some variations for certain types of land uses. For example, some communities surveyed link restaurant parking requirements to the number of seats provided or the floor area devoted to seating space, e.g. Manhattan Beach. A drawback to this approach is that parking standards based on seating space or number of seats are inherently less precise than gross floor area, since the floor area allocated per customer seat could vary considerably among restaurants.

The inadequate provision of off-street parking spaces could occur for any number of site-specific reasons, but usually results when the existing retail use differs from the type of use the commercial space/structure was originally intended to accommodate. This could occur when a convenience market, originally intended to offer only unprepared food, that later establishes a delicatessen offering prepared foods. This conversion typically results in an intensification of the land use without an accompanying expansion of off-street parking.

For the purpose of calculating parking requirements for dual uses such as retail establishments that offer both prepared and unprepared food could be considered two separate and distinct principal land uses. The restaurant parking standards would apply to total customer dining floor area (both indoor and outdoor), while the general retail parking standards would apply to the total floor area devoted to convenience market shelf space. Floor space devoted to certain uses that could apply to both restaurant and convenience market operations, e.g. cash register floor space, could be subject to the more stringent parking standards, which in this case would be the restaurant parking requirements.

Alternatively, parking requirements for dual uses could be based on the proportion of sales volume for each use. A major constraint in applying this criteria is that sales volume does not translate easily into parking space demand given the following variables: (1) determining the monetary threshold per parking space; (2) adjusting the monetary threshold to account for inflationary/deflationary trends; (3) establishing detailed accounting requirements for attributing the sales volume for each use; (4) establishing a monitoring procedure for public review of sales receipts to determine compliance; and (5) adjusting parking requirements for changes in sales receipt distribution and/or total volume. This type of parking criteria leads to the potentially volatile issues of requiring private enterprises to provide additional sales revenue information and establishing a new governmental function of monitoring individual parking requirements for dual use establishments.

Although kitchen floor area could be a separate factor in determining restaurant parking standards, there is not necessarily a direct relationship between the amount of kitchen floor space and the parking demand by customers and employees. Some types of restaurants may require less kitchen area than others for adequate food preparation. Likewise, a restaurant's particular emphasis on customer service often has more impact in determining the employee parking demand than the amount of kitchen or dining area floor space. For these reasons, kitchen floor area is not recommended for restaurant parking standard calculations. Employee parking demand could be adequately accommodated for any restaurant/convenience market dual use by simply requiring one space for every two employees on the largest shift for the entire establishment.

B. Restaurant/Cocktail Lounge

This type of dual use involves an establishment that offers prepared food for either on-premise consumption or take-out, along with a bar area with seating space intended primarily for the consumption of alcoholic beverages. Establishments that provide both prepared food and alcohol for on-premise consumption cover a broad range of retail businesses, including: (1) establishments that are essentially bars in atmosphere where the entire seating area permits optional dining; (2) casual restaurants which may or may not include waiters/waitresses, e.g. pizzerias, that allow alcohol consumption without food purchases; and (3) more formal restaurants with waiters/waitresses that also have a separate bar seating area for alcohol consumption. Although restaurants are defined in the zoning ordinance, the City does not presently have any definitions for cocktail lounges, bars, taverns or other establishments primarily intended for the sale and consumption of alcoholic beverages.

The major internal operational characteristics for restaurant/bars involves the proportion of sales volume devoted to food and the amount of seating area intended as restaurant dining area. The major land use impact issue for this type of dual use involves parking demand. The City's current parking regulations require bars and cocktail lounges to provide at least one parking space for each 80 square feet of gross floor area, which is more stringent than the present restaurant standard of one space per 100 square feet of gross floor area (other than drive-in or walk-in restaurants). This bar/cocktail lounge parking standard is based on the allocation of floor space per customer, since bars tend to need less floor space per customer than restaurants. Since the duration of customer visits to bars can vary from less than a half hour to several hours, it is difficult to establish a linkage between parking space standards to customer demand.

In trying to determine precise parking standards for a restaurant/cocktail lounge dual use, the distinction between restaurant floor area and bar/cocktail lounge floor area may be rather ambiguous. This is particularly true of establishments which allow meals to be served at the bar counter or provide

dining areas where customers may consume alcohol without ordering food. The simplest approach to this type of dual use would therefore be to use one overall parking requirement. Requiring employee parking combined with one customer parking space per 100 square feet of gross floor area would not significantly alter the amount of required parking from the current bar/cocktail lounge requirement of one space per 80 square feet of gross floor space. Employee parking demand could be accommodated by an additional requirement of one parking per every two employees on the largest shift.

The other external impacts regarding a restaurant/cocktail lounge dual use primarily involves the operating characteristics associated with cocktail lounges and its compatibility with surrounding uses. Bars/cocktail lounges typically have the peak customer demand period during the evening hours, when nearby residences are particularly sensitive to noise and light impacts. These potential impacts, along with the potential for increased criminal activity commonly associated with alcohol establishments, can lead to opposition from a nearby residential neighborhood on the grounds that a cocktail lounge is incompatible with surrounding uses. However, these impacts can often be successfully mitigated with specific requirements such as adequate noise-insulation construction for exterior openings (door, windows) and lighting design to prevent spillover. These type of requirements most often are determined on a project-specific basis, which is best accomplished through the conditional use permit process.

To provide more specific descriptions of various types of alcohol beverage establishments, the zoning code could be amended to include definitions based on the specific license required by the California Alcoholic Beverage Control Board for that business, e.g. Type 42 (on-sale beer/wine public premise), which is a restaurant which may serve beer and wine only.

C. Restaurant/Nightclub

The impacts for this type of dual use are similar to restaurant/cocktail lounge uses, with a greater potential for negative parking and noise impacts due to the intensity of a nightclub use. As with restaurant/cocktail lounge uses, it may be difficult to distinguish the floor area between these two uses since restaurant diners often view performances from their tables. The two major impacts, as with restaurants/cocktail lounges, involves parking impacts and the potential incompatibility/undesirability of this dual use with surrounding uses.

D. Service Station/Market

This type of dual use could involve any of the following commercial enterprises: (1) the principal use is gasoline sales and/or minor motor vehicle repairs along with sale of food or beverages as an ancillary use, e.g. major franchise service stations such as Union 76; (2) the sale of gasoline and

convenience market operations are both principal uses, e.g. AM/PM markets; or (3) a convenience market that includes the sale of gasoline as an ancillary use, e.g. 7-11 and other chain convenience markets that have gas pumps in the front parking area, but do not advertise gas sales as a primary attraction.

The operational characteristics of this dual use primarily involve: (1) the proportion of sales volume devoted to convenience market items generally, and alcohol sales specifically; and (2) the intensity of automobile-related services (gas pumps only v. gas sales and minor repairs).

As with other dual use commercial enterprises, the major land use impact involves parking demand. Establishments that are simply gas pumps with a convenience market need only enough area to allow vehicles to move in and out of the gas pump islands without interfering with access to the market parking area. If motor vehicle repair services are included, parking space needs to be provided for customer visits and the temporary storage of vehicles. Parking requirements for convenience market operations should apply only to that portion of the property that is used for market purposes. The City currently does not include definitions of service stations or convenience markets in its zoning code.

Other potential impacts related to this type of dual use involve its relationship with surrounding land uses. Issues of incompatibility with surrounding uses and inconsistency with zoning are related more to gas stations since the potential negative impacts of noise, lighting and even odors are more severe for this land use than markets. If a service station use is permitted by zoning, the operating characteristics can be best controlled on an individual use basis through the conditional use permit process.

Service station definitions in zoning ordinances from the nearby surveyed cities are typically an inventory of automobile-related services involving the dispensing of fuel, sale of automobile accessories, e.g. windshield wipers, and the performance of minor vehicle repairs. A specific service station definition serves to distinguish this type of retail establishment from motor vehicle repair garages that perform major repair services.

Service station parking requirements widely vary among various communities. Of all communities surveyed, Huntington Beach has the most specific parking requirements for service station operations, requiring two spaces per gas pump, one space per 500 square feet of repair garage space and 12 spaces for car wash operations.

An appropriate method of addressing the different customer parking demands for this type of dual use would be to require a separate parking standard for each use. The floor area parking standard would apply to the display area for retail goods (whether automobile or grocery store related), the customer

circulation floor space, and the floor space devoted to retail goods transactions, e.g. cash register area.

E. Market/Adult Products

This type of dual use typically involves a convenience market that stocks adult magazines and/or videos as a secondary use. The presence of adult magazines/videos in a local market would not be expected to generate significant additional customers, since adult products are not difficult to obtain in many communities. Impacts related to the sale or rental of adult products are more associated with the desirability of these products in a market, particularly if the market is located by residential uses. Possible objections on moral grounds range from the issue of increased criminal activities, e.g. loitering, public indecency, to the general morality issues, e.g. exposing minors to pornography. These issues to a large extent depend on the individual operating characteristics of a market, e.g. display adult products behind counter and screen covers with opaque packaging. The conditional use permit process provides the City with a mechanism for insuring specific controls on the display and sale of adult products.

Land Use Issues

Many commercial and industrial uses are permitted in the City but not specifically defined in the zoning ordinance. While the predominant characteristics of various permitted uses would appear to be self-explanatory from the use title, e.g. movie theater, the absence of precise planning definitions creates the potential to encourage businesses to circumvent the local land use entitlement process and/or allow local decision-makers broad discretionary authority to determine whether a business would be considered a permitted use. Precise definitions for the purpose of establishing specific land use controls is particularly important for conditionally permitted uses, since a business could claim immunity from such regulations by arguing that it did not fit that particular use classification.

Intentional abuse of the land use entitlement process by prospective businesses could occur through any of the following approaches: (1) an applicant could describe the proposed business a manner that intentionally omits some of the intended ancillary operations, e.g. a surfboard retailer that conducts backroom manufacturing without informing City officials; (2) an applicant could describe a conditionally permitted use as ancillary to the principal use to avoid the CUP process, e.g. tanning salon facilities in a gymnasium; or (3) a proposed business could be deemed by local decision-makers to be prohibited in certain areas due to an intended ancillary use, e.g. a retail furniture store that includes some minor assembly operations could be considered a furniture manufacturing shop, and therefore permitted in the M-1 zone only. These potential situations could be resolved through clear and precise definitions of all permitted uses.

Possible definitions for all conditionally permitted uses not presently defined by the City are listed in Appendix B.

DEVELOPMENT DEFINITIONS

Attic

An attic is typically thought of as a small area between the top story and roof of a residential structure, which in some cases is designed for storage. Precise working definitions of attic are rare, however. The State Uniform Building Code does not define this term and few municipal zoning ordinances include an attic definition. The City does not have an attic definition in its zoning ordinance.

One primary issue relating to an attic definition involves its relationship to the structural organization of a building and the types of uses typically associated with an attic. Specifically, this issue deals with the question of whether an attic should be solely used for storage purposes or whether it would be acceptable to utilize attic space for habitable or commercial retail/service purposes.

Attics are sometimes provided as spare storage area to take advantage of the additional top story ceiling space found in residential structures with pitched roofs. The structural attributes of an attic are typically characterized by: (1) limited vertical dimensions that restrict free movement; and (2) limited ventilation and light access due to little or no provision of windows. The vertical height of an attic will primarily determine whether it can accommodate prolonged periods of occupancy. An attic with inadequate headroom space, e.g. less than six feet in height, would be effectively limited to storage uses only.

Another land use issue related to attics is whether it should constitute a separate story to a building. This issue is largely dependent upon the potential use value of a particular attic. A story typically implies an area that can support some sort of human activity, such as habitation or commercial purposes. Since the structural configuration of an attic dictates potential uses, an attic with sufficient vertical height to allow unobstructed movement could reasonably be considered a story. An attic would therefore not be considered a story if the structural dimensions made extended periods of human occupancy prohibitive. However, an attic should be counted as part of a building's total floor area even if it is only usable as storage area, since a storage attic represents building floor space that contributes to structural bulk and usable space.

Basement

The City currently defines basement as "that portion of a building partially below the average level of the highest and lowest point of that portion of a building site covered by the building with a ceiling no part of which is more than seven feet

above such level." The Uniform Building Code defines basement as "any floor level below the first story in a building, except that a floor level in a building having only one floor level shall be classified as a basement unless such floor level qualifies as a first story." Since these definitions differ, it is possible for the City's zoning and building standards to conflict in potential basement determinations.

As with attics, the primary issues involving the definition of a basement are its structural relationship to a building, e.g. whether it constitutes a separate story, and its potential uses.

There are two main considerations in whether a basement should be counted as a story: (1) the relation of the basement to the site grade; and (2) the intended use of the basement. An argument against including basements as a story is that a subterranean structure does not contribute to exterior structural bulk and therefore could allow more building site open space than a structure with identical floor area entirely above ground. However, a partially subterranean basement could give the appearance of exceeding the number of permitted stories. Some communities have made the determination that the relationship of a semi-subterranean level to the site grade should dictate the designation as a separate story. If 50% or more of the vertical height of a semi-subterranean level is below grade it is defined as a "cellar" and not considered a story; otherwise, it is defined as a "basement" and considered a separate story.

Another issue involving story designations of basements is whether grade should be considered the existing grade or finished grade after construction for the purpose of defining basements. Using the finished grade as a reference point for above ground building area has encouraged developers to intentionally raise the grade to lower measurable building height (the City presently allows finished grade to be as much as four feet higher than existing grade). Raising the finished grade also artificially reduces the number of stories since basements are not presently considered a story by the City. In order to prevent this potential for abuse of code standards, the grade used for determining a basement could be the lower of either the natural grade or finished grade on the property in question. This issue will be addressed in greater detail in the discussion on grade definition issues.

Since subterranean area does not contribute to a structure's height or visible bulk, the portion of a building between a floor and a ceiling which is wholly below grade should not be considered a story. The basement and cellar definitions used by communities such as Carson, El Segundo, West Covina, and West Hollywood represent a reasonable approach to determining whether partially subterranean space should be considered a story. However, this would permit construction of a "cellar" with an above grade height similar to a first story level by designing a very large vertical cellar length that places more than fifty percent of the cellar below grade. To avoid this situation, the zoning definition could either: (1) specifically limit the

entire vertical height of a semi-subterranean level; or (2) define a cellar as a semi-subterranean level no more than a specified height above natural or existing grade. The current zoning definition limits this above grade height to seven feet, which is sufficiently high to give the appearance of a first floor level. A lower amount of permitted above grade height, e.g. four feet or less above grade, could resolve this conflict.

Another approach to determining whether a basement should be considered a separate story is to base the decision on the intended use. A basement that is intended to function as part of the building's primary use could be considered a story regardless of its relation to grade. Only an ancillary use such as an underground parking garage would then be exempt from a story designation, provided the basement has no bathroom or kitchen hookups and the floor area is constructed of a surface, e.g. concrete paving, that could only accommodate the intended ancillary use. Subterranean floor area could be used as a garage or as an extension of the building's primary use. Since a basement typically has the same vertical and horizontal dimensions as the other building stories, and often includes windows, it could easily be utilized as habitable area. This would be an argument for considering a basement as another building story, since it has the same use potential as other stories. An underground garage does not increase the habitable space of a structure, however, so it could be argued that the use of a basement should determine whether it be considered a story. Alternatively, both the grade level relationship and intended use could be determinants. In this case, the basement vertical height would need to be at least 50% below grade and intended only as an ancillary use such as parking space to be exempted from classification as a story.

Floor Area

This factor is a commonly used term for measuring structural bulk and determining parking requirements. The City, however, does not currently have a definition for floor area in the zoning code. Floor area is defined in the Uniform Building Code as "the area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above."

Floor area is a key indicator of structural bulk and building intensity. The relationship of floor area to lot size is often expressed in a numerical value known as the floor area ratio (FAR), which is simply the total area of all building floors divided by total lot area. FAR standards are commonly used by communities as a convenient method of regulating building intensity for commercial and industrial properties (residential building intensity is typically based on the maximum number of dwelling units, setbacks, stories, and open space).

Floor area is also used for determining nonresidential parking standards. This is based on a ratio of required spaces to floor area by type of use, e.g. general retail uses are required to provide one off-street parking space per 250 square feet of floor area. Nearly all of the City's current parking standards are based on floor area, with only a few exceptions, e.g. motel standard is based on number of rooms.

The concept of floor area is often discussed in terms of either gross, net or leasable floor area. Gross floor area has been subject to different interpretations. Nearly all communities surveyed calculate gross floor area as all floor space within the exterior walls of a building, with certain specified exceptions. Some communities measure gross floor area from the exterior surface of the exterior walls, while other communities use the interior surface of the exterior walls. In the case of a party wall separating two uses, the generally accepted practice is to measure from the wall centerline. Communities tend to differ on whether to include attics, basements, elevators, public restrooms, stairways, mechanical rooms, or parking structures as part of the gross floor area. Redondo Beach defines gross floor area to include enclosed porches but not inner courts or elevator shafts. The Carson definition of gross floor area uses the amount of headroom provided in basements, cellars and attics as the determining factor for inclusion in floor area calculations. If the headroom provided is over 6 1/2 feet, then the floor area is included in the gross floor area. Gardena specifically excludes basement and cellar areas that are devoted exclusively to ancillary building uses. However, as previously discussed, since an attic represents building floor space that contributes to structural bulk usable space, it would be appropriate to consider all types of attics as part of a building's gross floor area.

An inclusive form of "gross" floor area would include all horizontal cover such as basements, attics, interior wall space, mechanical equipment rooms, elevator shafts, and unenclosed interior courtyards. Although some communities exclude these types of improvements from the floor area inventory, any horizontal cover that results in structural bulk can technically be considered gross floor area. Improvements connecting separate horizontal floor areas, e.g. stairway space in between floor levels, and walkway ramps that run between floor levels should not be included in the gross floor area computations since these are vertical interior improvements that do not increase structural bulk. Improvements such as above ground balconies do contribute to exterior structural bulk but are not part of the interior floor space within the exterior building walls. As such, it would be more appropriate to exclude above ground extensions such as balconies from the floor area inventory and control such extensions through zoning setback standards. However, if that area is used for outdoor dining, it should be considered floor area.

Net floor area typically includes all space intended for the primary activities of the structure and other areas for general

public use, e.g. hallways, lounges, lobbies, public restrooms. The features excluded from net floor area calculations are structural improvements such as stairways, elevator shafts, interior walls, interior parking areas, loading docks and mechanical rooms. Also excluded from the net usable floor area inventory would be attics and basements that are not intended for extended periods of human occupancy. For example, Carson defines net floor area as the gross floor area minus the area of permanent walls, elevator shafts, stairwells, housing for mechanical equipment and vent shafts.

Leasable floor area generally pertains to only the floor space available for lease to one particular tenant. This term is useful in determining the parking requirement for a particular nonresidential land use, but not very helpful in assessing overall structural bulk.

While a gross floor area inventory that includes all horizontal floor space primarily relates to FAR calculations, net usable floor area provides a useful indication of building utilization potential. FAR calculations for the purposes of determining structural bulk or parking requirements could be based on either gross or net floor area. Leasable floor area is not considered acceptable for such calculations since this is a measure used for determining specific tenant uses within a structure, and as such, excludes a substantial amount of floor area. Parking standards can be based on either gross or net floor area for single nonresidential use buildings, while parking requirements for individual tenants of multi-use buildings must be limited to only the amount of leasable space used by each tenant. The City currently uses gross floor area in its nonresidential parking requirements.

Grade

The City does not currently have a definition for grade in the zoning ordinance. The staff survey of nearby communities provides an abundant supply of various grade definitions, e.g. existing grade, altered grade, finished grade, and street grade. The Uniform Building Code defines grade as "the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building."

The absence of a specific grade definition in the City's zoning code has created some confusion in making structural determinations, e.g. height, stories, basement. For instance, the City's basement definition refers to the average level of a building site as the reference point for measuring the lower level above ground height. Since "average level" is not defined in the zoning code, it is not clear whether this phrase refers to existing grade or finished grade.

A primary consideration in grading definitions is the distinction between pre-development and post-development grading. Some communities have separate definitions for existing grade and finished grade, while others simply have one definition for grade that is a description of the ground surface level at one particular stage of the development process. Since a general definition of grade that actually refers to only one specific type of grading could lead to difficulties in practical applications, it may be more appropriate to have several specific definitions of grade, e.g. existing grade, finished grade.

In addition to the relationship between ground surface and the development process stages, the other main consideration in grading definitions involves the elevation measurement factors. Various definitions of existing or finished grade use differing elevation reference points, including: (1) the lowest point of elevation between the building and property line within a specified measurement range (usually five feet for consistency with the Uniform Building Code standards); (2) the level of the ground at any point along a building (an ambiguous measurement standard allowing a great deal of discretionary interpretation); and (3) the surface of the ground at a stated location (also open for considerable discretionary interpretation). The average grade determinations also vary in measurement standards, including: (1) the average of the highest and lowest top of curb elevations; (2) the average at the midpoints of the lot from each wall; (3) the average of the ground level at the exterior perimeter of all walls; and (4) the average elevation of the ground level as measured from the corners of the parcel.

Potential drawbacks to using the finished grade for structural determinations is that it can encourage developers to raise the existing grade in order to reduce measurable bulk. For example, fill could be used to qualify the lower level as a basement, which is not considered a story under current zoning. In the R-1 and R-2 zones, which are limited to two stories, raising the existing grade could qualify a three-level building as a two story structure. Since the City's current zoning code makes no distinction between existing or finished grade, and finished grade may be up to four feet higher than existing grade, raising grades around the perimeter of a building to qualify the lower story as a basement is permissible. Furthermore, since the Uniform Building Code defines grade as finished grade, this definition also permits raising grades. While in this instance the zoning and building standards are unintentionally consistent, it may not be in the best interests of the City.

Using existing grade as the building elevation reference point would prevent changes in grade during construction simply to avoid having a semi-subterranean level classified as a story. It could, however, have the undesirable consequence of increasing the "apparent" height and mass of new buildings. Rather than include a subterranean or semi-subterranean lower level, new construction would more likely be characterized by greater floor area mass to maximize square footage within the height, and in the case of R-1 and R-2 zones, two story limits.

Another approach to defining grade for the purpose of determining building height and number of stories involves using either the existing or finished grade, whichever is lower. For example, Manhattan Beach uses "local grade" as its benchmark, which is defined as "the ground elevation adjacent to a specified location on the exterior of a building (existing or finished, whichever is lower)." Local grade is measured five feet outward from the building, or from the nearest property line if the property line is within five feet of the building, which is consistent with the Uniform Building Code definition.

Loft/Mezzanine

A loft or mezzanine may be described as an interior horizontal floor area that is typically parallel to and in-between the floor and ceiling of the story in which it is located. This structural feature is not defined in most of the zoning ordinances surveyed by staff, and is not included in the City's land use definitions. The Uniform Building Code simply defines mezzanine as "an intermediate floor placed within a room."

The primary planning issue for the definition of a loft/mezzanine is whether it constitutes a separate story. This determination is largely influenced by the size of the loft floor area in relation to the floor size of the surrounding story and the types of intended loft uses. The size of the loft influences its relationship with the main floor area, in terms of whether the loft is an extension or integral part of the main floor's intended use, or whether it is intended for a wholly separate use. Lofts have become a popular method of increasing floor area within the maximum allowable stories. Lofts also provide the opportunity to utilize extra storage space in the interior shell created by the loft wall(s). The use of lofts as an intermediate floor level can result in greater story heights to accommodate habitation on both the loft and adjoining floor space, which would lead to taller buildings than similar building floor plans without lofts.

The use potential of a loft, which is closely related to its floor area size in relation to the floor area size of the surrounding story, should determine whether it would be designated a story. The size of a loft is integrally related to potential use, since a small loft area is limited in use potential while a larger area has the potential for uses wholly separate from the lower floor space. A loft large enough to support a primary use of the building, particularly if the loft could support such use independent of the surrounding story, should be considered a separate story. The West Hollywood definition provides a threshold of one-third of total main floor space to distinguish an "intermediate level" from a separate story. However, even a loft with one-third the total floor area of the building stories could be sufficient to adequately function as a separate story. It may therefore be more appropriate to establish a lower threshold, such as 20% or 25% of total main floor area.

Story

The City currently defines story as "that portion of a building included between the surface of any floor and the surface of the floor next to it. If there be no floor above it, then the space between such floor and the ceiling next above it shall be considered a story. A basement shall not be considered a story when computing the height of a building."

Story is defined in the Uniform Building Code as "that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused under-floor space is more than six feet above grade as defined herein for more than 50 percent of the total perimeter or is more than 12 feet above grade as defined herein at any point, such usable or unused under-floor space shall be considered as a story."

As evident from the discussions of other structural definitions, the issue of what constitutes a story is closely related to the location of the floor level in the building, the structural dimensions of the level, and the intended uses. A critical determining factor is whether the structural dimensions could adequately accommodate the building's intended use(s). Uses in this context would not only include the primary use, e.g. residential, but also areas that accommodate access to the primary use, e.g. hallways, lobbies, parking areas.

Horizontal floor space that could be exempt from classification as a story includes areas not intended for human habitation, e.g. attics and basements with inadequate vertical height for prolonged occupancy, and areas that provide an ancillary use such as storage, e.g. lofts of inadequate dimensions to accommodate extended human activity. Vertical improvements such as stairways are not considered stories since such structures do not add to overall bulk.

OBJECTIVES AND IMPLEMENTATION POLICIES

PRIMARY OBJECTIVE 1: Provide clear and unambiguous guidance to decision-makers regarding land use entitlements by formulating precise zoning definitions for commercial and residential land uses and structural improvements. **E**

Implementation Objective 1.1: Prepare a zoning amendment to include definitions for all permitted uses, dual/multiple uses, and the following structural improvements and development features: attic, basement, grade, floor area, loft, and story. **E**

Implementation Policy 1.1-2: All lodging establishments, or portions thereof, that allow guests to stay more than 30 consecutive days shall be subject to the multiple dwelling

parking standards, regardless of whether kitchen facilities are provided. E

p/define2

HOTEL AND MOTEL DEFINITIONS AND PARKING STANDARDS

The City's present definitions of "hotel" and "motel" describe the following characteristics:

- a. The provision of guest rooms as temporary overnight or short-term abiding places offered in exchange for monetary compensation.
- b. The provision of daily cleaning services for each guest room by the management.
- c. A City requirement of 24-hour registration/check-out services.
- d. Kitchen facilities, which are only permitted in up to 80% of guest rooms for projects with greater than 20,000 square feet.

The City's definitions of hotel and motel specifically excludes jails, hospitals, asylums, sanitariums, orphanages, prisons, detention homes and similar buildings where individuals are housed and detained under legal restraint. This qualification is found in most hotel and motel definitions from other nearby cities.

Distinctions between a hotel and a motel in the City's definitions:

- a. Size: a hotel is defined as one or more buildings containing six or more guest rooms, while a motel is simply one or more buildings with no minimum number of guest rooms.
- b. Lobby: a hotel is defined as having access through a common entrance with a registration lobby of at least 800 square feet that is manned on a 24-hour basis; a motel need only provide 24-hour registration/check-out services.

The City's hotel/motel parking requirements compared with other cities:

One parking space per unit plus two spaces for the manager's unit is a common motel parking standard currently used by the City and many other nearby communities. This standard is also used for hotels in some cities, e.g. Carson, whereas the City permits a gradual reduction in required parking spaces based upon the total number of guest units: one space for each of the first 50 units; one space per one and a half units after 50 units; and one space per two units after 100 units. The City also requires hotels with facilities such as restaurants, banquet rooms, conference rooms, commercial retail activities and other similar uses to

provide parking space for each use as computed separately in accordance with the zoning code parking requirements for each use.

In other cities, hotels and motels with kitchen facilities are required to provide two parking spaces per room with a kitchen (see Appendix C for sample definitions from other cities). This is based on the assumption that rooms with kitchen facilities are more desirable to: (1) larger groups traveling in more than one vehicle; or (2) individuals seeking longer-term accommodations that are more likely to need parking for their guests.

Operational characteristics of hotels or motels not addressed in the City's definitions:

- a. Duration of stay: Some communities, e.g. Santa Monica, specifically define hotel as a temporary lodging place of individuals for less than 30 consecutive days (although it does not restrict motels to this time limit). Communities such as Culver City allow hotels and motels to provide accommodations to individuals for more than 30 consecutive days, with each guest room available on this long-term basis designated as a multiple family unit for the purpose of determining parking requirements.
- b. Status of kitchen facilities: In some communities such as Hawthorne, a motel guest room with kitchen facilities is considered to constitute a dwelling unit and subject to all provisions of the high density residential zoning classification.
- c. Motel registration requirement: A motel is often distinguished from a hotel by the Health and Safety Code requirement that all motels obtain the names and addresses of the guests and the make, year and license number of the vehicle and the state in which the vehicle is registered.
- d. Other uses associated with lodging establishments: Many properties with hotel/motel establishments also provide other primary or secondary land uses that are not directly related to lodging activities but enhance the appeal and marketability of the hotel/motel. The most common example is a restaurant use, although high-end hotels often include gift shops, cocktail lounges/nightclubs, and various personal services such as barbers or florists. A hotel/motel with a restaurant or nightclub would constitute a mixed use, since potential customer demand for one use is not necessarily contingent upon patronizing the other use. None of the nearby communities surveyed by staff, however, addressed multi-use hotels/motels.

Analysis

As typical for many commercial establishments, the primary external land use impact of hotels and motels is the customer demand for parking spaces. Under the present City parking standards, hotels have the option to provide less than one parking space per guest room if the hotel contains greater than 50 rooms. The only qualifications for a "hotel" designation are access through a common entrance/lobby area (minimum 800 square feet) and provision of six or more guest rooms. Therefore, any building used for lodging activities that can meet these two requirements could be subject to the less stringent hotel parking standards.

Although the City allows larger hotel uses to provide less parking space than other types of commercial lodging uses, previous parking demand studies have shown that customer parking needs remain constant regardless of the lodging facility size. A study conducted by the Urban Land Institute (ULI) and Barton-Aschman Associates (Shared Parking, ULI, 1984) examined the parking demands for 14 major suburban hotels ranging in size from 265-1,020 rooms with restaurant/lounges of up to 10,000 square feet, banquet/meeting rooms of up to 1,000 seats, and convention facilities of up to 40,000 square feet. The results of this study, aggregated from hourly accumulation values taken for both weekdays and Saturdays, show an overall peak parking demand of one parking space per guest room. This study provides justification for requiring one space per room for all types and sizes of lodging facilities.

Two important determinants of customer parking demand not presently addressed are the duration of customer visits and the provision of kitchen facilities. An establishment that allows guests to stay beyond 30 days is essentially functioning as a transient apartment building and it would therefore be appropriate to consider the entire establishment, or the portion that permits long-term occupancy, as a multiple dwelling (three or more units) residential use. The provision of kitchen facilities is a characteristic feature of rooms intended for long-term occupancy. Hotels or motels with kitchen facilities could therefore be expected to allow or encourage this type of long-term customer demand.

Hotels/motels with other primary uses, e.g. restaurants, or secondary uses, e.g. gift shops, are already considered multi-use establishments for the purpose of determining parking requirements. Individual enterprises may submit a parking plan to the planning commission for a reduction in the number of required parking spaces if it can be demonstrated that a lesser amount of spaces would be adequate for the customer and employee demands of that particular business.

Potential Revisions

The current City hotel parking standards are not supported by recent statistical evidence and allow the opportunity for large lodging facilities that are essentially motor lodges in physical layout to circumvent the code. This situation could be rectified by requiring all lodging activities to provide at least one parking space per guest room. Any lodging establishment would still have the option of submitting a parking plan application to reduce the parking requirement for that enterprise.

As previously discussed, lodging establishments that allow guests to stay more than 30 consecutive days are de facto apartment buildings by virtue of providing monthly rentals. Therefore, the entire establishment, or portion of the establishment that permits monthly occupancy, could be subject to the multiple dwelling parking standards. This parking standard should be applied solely on the basis of the permitted occupancy duration whether or not kitchen facilities are provided, since some establishments could provide rooms with kitchen facilities for short-term occupancy only.

The Health and Safety Code requirement for registration of motel guests and their vehicles is useful in distinguishing between hotels and motels, but does not directly relate to any impacts of this type of use on surrounding properties. Any revisions to include this motel characteristic would be only for descriptive purposes and would not have any regulatory functions related to parking requirements or other land use issues.

p/hotel

PARKING VIS-A-VIS LAND USE

PARKING VIS-A-VIS LAND USE

The Citywide parking system consists of on-street parking, public parking lots, private driveways, private parking lots and private parking structures. On-street parking is available throughout the City in the form of both metered spaces and non-metered spaces, but is prohibited on various streets due to factors such as narrow curb-to-curb width, heavy traffic volumes or restricted sight distance.

The City of Hermosa Beach has four characteristically different commercial retail districts: the downtown district (generally bounded by the commercial properties between Manhattan Avenue, 10th Street, the Strand, and 15th Street), the Pier Avenue corridor, the Aviation Boulevard corridor, and the Pacific Coast Highway corridor. In addition, the City has a few small commercial pockets located along Manhattan and Hermosa Avenues, e.g. Hermosa Avenue and 22nd Street, Manhattan and Longfellow Avenues. The downtown area differs from the other major commercial districts in terms of both land use and parking characteristics. In terms of land use, the downtown is more entertainment oriented with a high percentage of nightclubs and restaurants defining the downtown retail character. The other commercial areas have a higher representation of general merchandise uses, e.g. apparel, auto-related uses and office space. The downtown is also distinguished by demands on its parking facilities by both shoppers and beach patrons, requiring public parking spaces beyond what would otherwise be needed for merchant shopper demand alone. For this reason, the downtown parking inventory is characterized by public parking lots in addition to the public on-street and private off-street parking found in all four major commercial areas. The characteristics of these areas in relationship to parking were identified via a user survey conducted by staff; this survey will be discussed in more detail later.

In the past, the City did not require parking for residential development, and at one time the City restricted developers from establishing on-site parking in conjunction with residential development. From observation, it is apparent that many residential developments are lacking adequate parking, and that finding street parking in residential areas can be almost impossible at times. To remedy this situation, a variety of factors need to be considered. Some factors have already been examined in other General Plan Elements such as the Circulation, Transportation, and Parking Element, and the Housing Element. In addition, there are some requirements regarding residential parking which were imposed on the City through the California Coastal Commission Certified Land Use Plan which needs to be also examined.

The City has historically had a shortage of on-street parking spaces for overnight residential parking. Off-street residential

parking generally consists of residents utilizing driveway space and garages on their properties.

1990 PARKING ELEMENT

The City's current Parking Element was adopted by the City Council, along with the Circulation and Transportation Elements, on August 14, 1990.

Parking utilization surveys were conducted on a Citywide basis for the Parking Element in October 1987. Areas with on-street parking space deficiencies, defined in this Element as greater than 90% occupied for at least one hour, were identified throughout the downtown and Pier Avenue corridors. Only one segment of Pacific Coast Highway, Longfellow to Gould Avenues on the southbound side of PCH, had a parking deficiency, which occurred during the 6:00-7:00 p.m. evening hour. No parking deficiencies were identified along Aviation Boulevard. This 1987 survey also identified parking deficiencies for at least one hour during the day in the following off-street lots (see Map 12):

1. CJ Bretts
2. Kiwanas
3. Von's Plaza (surface only)
4. International House of Pancakes
5. Warehouse/Cal Fed
6. lot between Valley and Ardmore near Civic Center
7. lot west of Mrs. Gooche's
8. lot west of Bard
9. lot north of 13th Street
10. lot south of 14th Street
11. lot west of Prospect, south of Artesia

Three of these lots (the Kiwanas lot, the lot west of Bard, and the lot north of 13th Street) were found to be fully utilized throughout the day. Obviously, some conditions have changed since the time of this survey, e.g. departure of Mrs. Gooche's, replacement of CJ Bretts with Beach Boys Cafe.

Downtown parking conditions discussed in the Parking Element were based on the 1981 study prepared by Greer and Company. The major conclusions of the 1981 study were as follows:

1. The downtown parking supply is fully utilized during typical summer days and about 60 percent utilized on typical winter days (a more recent study of peak demand for the downtown is discussed later).
2. Additional parking will be required in the downtown area to serve increased business activity, new development and beach parking demands under both the short-range (5 years) and long-range (20 years) development plans.
3. 800 to 1,000 additional spaces will be required in the short range.

MAP 12 Parking Deficiency Areas

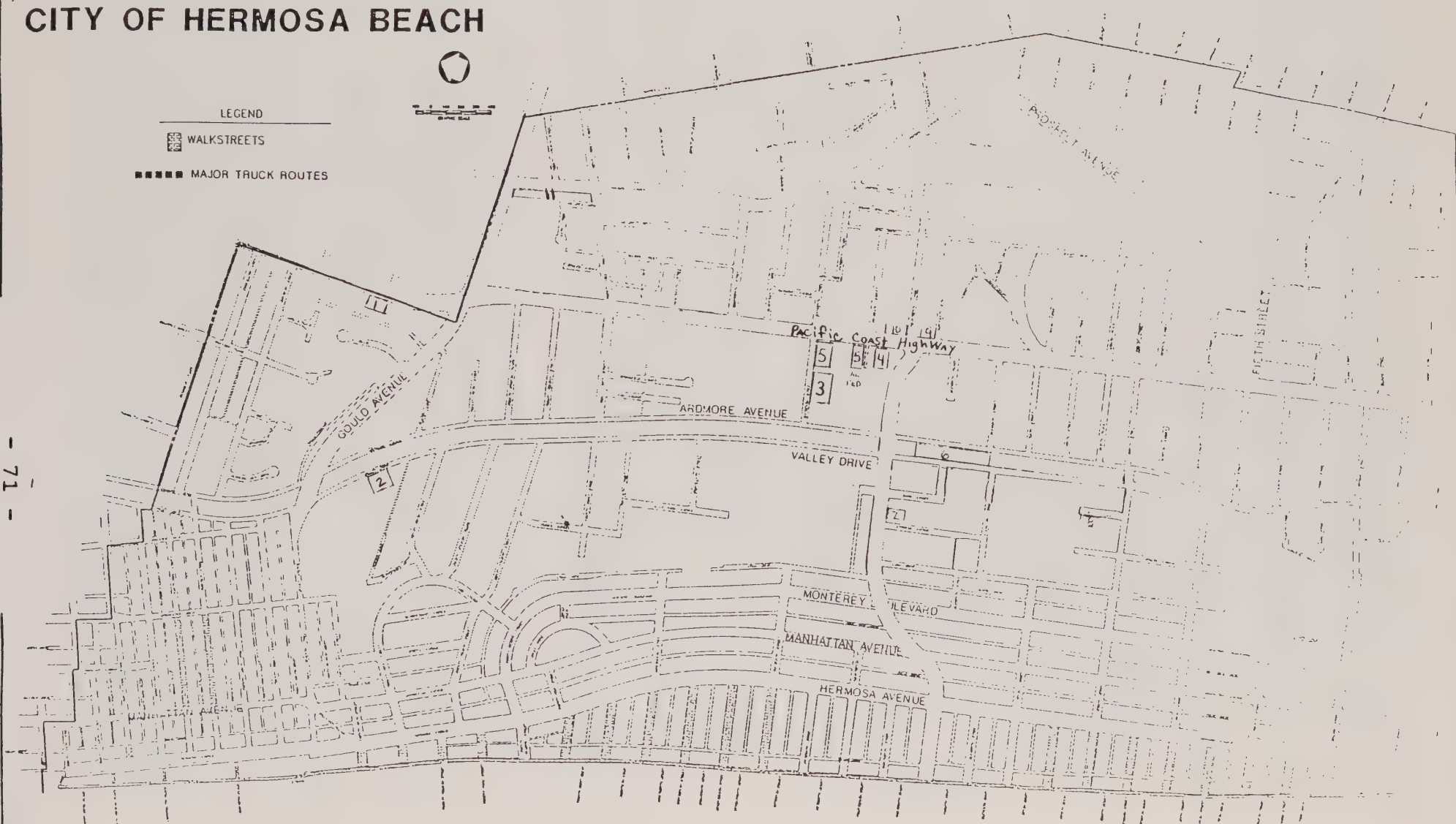
CITY OF HERMOSA BEACH

LEGEND



WALKSTREETS

MAJOR TRUCK ROUTES



4. Two, four-level parking structures should be constructed on the sites of Municipal Parking Lots A and C.
5. Both parking structures should include ground floor retail uses for better compatibility with surrounding commercial uses and for local revenue enhancement.
6. The two recommended downtown parking structures would cost a total of \$16,250,000 in 1981 dollars.

The Parking Element also briefly discusses the results of a 1986 Caltrans study on the potential impacts of peak hour parking restrictions in the southbound direction of Pacific Coast Highway, which are now in effect. The major conclusions of this study are as follows:

1. Local businesses along Pacific Coast Highway will experience substantial growth in sales even if limited store front parking restrictions are implemented, e.g. restrictions in the southbound direction only during the evening peak hour period.
2. Off-street parking is available to support growth and prevent economic impacts due to limited parking restrictions on Pacific Coast Highway.

Parking Element Commercial Parking Objectives and Policies

Essentially, the Parking Element objectives and policies indicate that the City should be planning more public parking lots and transportation programs, such as "Park and Ride," to provide for the existing land use demand for parking. For new development, the Element indicates a project should accommodate project-generated parking and consider alternate transportation programs.

Parking Element Commercial Parking Recommendations

Pursuant to these implementation policies, the Parking Element presents three specific recommendations for improving the City's commercial parking facilities. The recommended actions are to: (1) revise the parking requirement for restaurants; (2) construct commercial public parking structures to serve the downtown; and (3) consider angle parking along Hermosa Avenue.

The Parking Element suggests that the current restaurant parking standard of one space per 100 square feet of gross floor area is inadequate to accommodate average restaurant demand. Based on a 1985 publication entitled Parking Generation, An Informal Report from the Institute of Transportation Engineers, the Element defines average demand as 12-14 spaces per 1,000 gross square feet of building area. This would translate into a restaurant parking standard of one space for every 71-83 square feet of gross floor space. The Parking Element recommendation is to intensify the restaurant standard to require one space for every

75 square feet of gross floor area. Whether this more stringent standard would be necessary to accommodate local restaurant demand is debatable. However, given the fact that most existing commercial properties have difficulty meeting the current restaurant parking standard, a higher standard would clearly be infeasible for the City, unless some other methods were found acceptable such as shared parking to satisfy the requirement.

In regard to downtown parking, this Element recommends that since the private sector has not initiated the removal of commercial buildings with inadequate parking facilities to provide additional off-street parking, the City should "continue to pursue strategies to increase the supply of public off-street parking by constructing parking structures and/or surface lots on public-owned property." A commercial public parking structure to serve downtown patrons has been advocated by various local merchants and business organizations for many years. The two major unresolved issues regarding parking structures involves location and funding. The most obvious locations for a downtown parking structure would be one of the downtown parking lots (A, B or C). The privately-owned property at the northwest corner of Pier and Manhattan Avenues has also a potential to be a downtown parking structure site. The Chamber of Commerce is presently conducting a study to determine the financial feasibility of purchasing a former church site, located on the west side of Manhattan Avenue between Pier Avenue and 14th Street, to build a parking structure.

Implementation Policies for Residential Parking

The implementation policies from the Parking Element applicable to residential parking are as follows:

Implementation Policy 3.2 - Continue implementation of preferential parking districts in residential neighborhoods when requested by residents and shown to be warranted by existing conditions.

Implementation Policy 3.7 - Require the use of garages for parking of vehicles and not for storage, and periodically evaluate the adequacy of existing standards in light of vehicle ownership patterns within the City.

The only comment in the Parking Element addressing residential parking deficiencies is that existing residential structures containing substandard parking will gradually be replaced by new housing developments with adequate parking for both residents and guests. This statement is not a recommendation to guide future City actions, but rather a statement regarding probable market influences. However, the rate of housing stock recycling is likely to be slowed by the relatively high proportion of legally nonconforming structures in the City that exceed current density standards. Owners of these properties are more likely to retain multi-unit residential structures with inadequate parking rather than build replacement housing with fewer units and more parking.

Projected Parking Conditions

Based on a parking demand and supply forecast analysis, the Parking Element projects a net Citywide surplus of over 1,750 parking spaces, broken down into 715 office spaces, 368 retail spaces, and 650 residential spaces. This projection assumes that all anticipated future developments will provide all required on-site parking spaces according to City code. Current parking deficiencies are expected to be alleviated as existing residential properties with substandard parking are replaced with new housing developments. Based on the City's historically low rate of new construction activity, this projection is more of a best case scenario than a realistic forecast (this matter is discussed in greater detail later in this section).

CERTIFIED COASTAL COMMISSION LAND USE PLAN

Any proposed development within a community's coastal zone requires the approval of a coastal development permit from the Coastal Commission (refer to map for coastal zone boundaries). However, the California Coastal Act sets forth specific procedures for the preparation and certification of local coastal programs which allow local governments to take over the development review authority for coastal development permits otherwise exercised by the Coastal Commission. Pursuant to attaining certification, a community must submit a coastal land use plan for its proposed local coastal program to the Coastal Commission. The Coastal Commission will certify a local coastal land use plan if such plan meets the requirements of the Coastal Act Resources Planning and Management Policies (Article 3 of California Coastal Act) on public access and recreational use and development. After local certification, the Coastal Commission may occasionally recommend amendments to local coastal programs to accommodate uses of "greater than local importance, which uses are not permitted by the applicable certified local coastal program."

Insuring the adequate provision of coastal parking facilities for residential, commercial and recreational purposes is one of the primary intents of the City's Certified Coastal Land Use Plan (LUP). Existing LUP policies that directly relate to residential land uses involve the preservation of existing on-street and off-street parking spaces within the coastal zone, a parking permit program for long-term residential parking, and the removal of vehicles parked illegally which may pose a threat to the safety of local citizens.

The LUP program for implementing the residential parking policy of parking spaces within the coastal zone requires two on-site parking spaces for each newly constructed residence, with an additional guest space provided per every three units constructed. Replacement of all parking spaces is mandatory for all new developments in which on-street parking spaces are eliminated or the total number of on-street parking spaces are reduced. Residential parking programs intended to implement the

parking permit program includes the permit plan enacted by the City for controlling parking congestion, with permits available to both residents on a long-term basis and non-residents on a short-term basis.

Existing LUP policies for commercial uses require the preservation of existing on-street and off-street parking spaces, a separation of long-term (beach user) and short-term (shoppers) parking in the downtown in order to provide adequate and flexible parking for commercial demand, continuation of the downtown Vehicle Parking and Improvement District (VPD) No. 1 to fund the acquisition, construction and maintenance of downtown parking facilities, and the removal of illegally parked vehicles.

The LUP program for preserving existing commercial parking spaces within the coastal zone is the same the program described above for existing residential spaces. The programs for implementing the policy on separating long-term and short-term parking in the downtown involves developing a downtown parking plan and determining demand patterns for the downtown parking lots.

The most detailed LUP program addresses the best use of revenue funds for the downtown VPD No. 1. This program establishes the in-lieu parking fee for all new downtown commercial construction that cannot meet the current downtown parking requirement of one space per 250 square feet of floor area. This in-lieu fee was originally set at \$1,500 for each required space not provided, with this base figure to increase in line with the consumer price index percentage for the Los Angeles-Long Beach SMSA since January 1, 1980. This program is to be re-examined in order to ascertain placing a limit on the amount of dollars or parking spaces to be granted in the future. Acceptance of in-lieu fees shall be geared to a threshold limit on the increased parking deficit, with the threshold limit at 100 spaces greater than the VPD deficit of 76 spaces at the time this program was established. When this threshold limit has been reached, the City shall institute a program to reduce the parking deficit below the threshold limit. With respect to restaurants and other uses which generate greater than usual demand for parking, the LUP specifies additional mitigation measures such as bicycle parking spaces or additional off-site parking within a convenient distance. Exceptions may be made for small restaurants or other uses that do not operate during peak parking demand periods which would assure that beach parking/access in the commercial area would not be impaired. Such a program shall assure that the number of parking spaces available to beach users after the development is completed is equal to or greater than the number of spaces available prior to the development.

PARKING DEMAND STUDIES

A walking survey of downtown (see Map 13) was conducted by staff from July 22 through August 1, 1992 to determine the approximate utilization rate of all public and private parking areas in the downtown district. Surveys were conducted at noon, mid-afternoon and evening for both weekdays and weekends to gauge peak demand

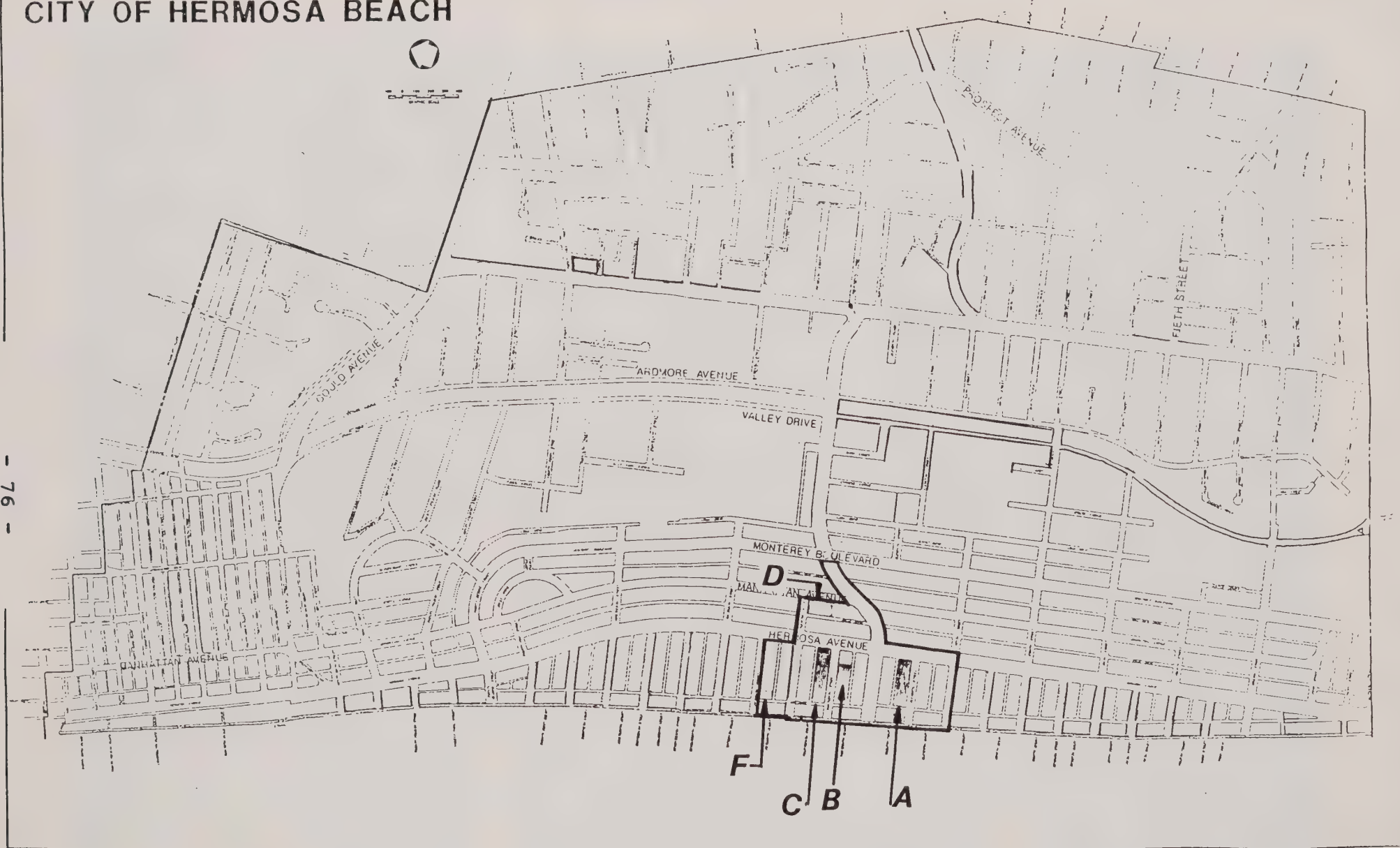
MAP 13

Downtown Survey Area

CITY OF HERMOSA BEACH



- 76 -



periods for both daytime beach visitors/shoppers and evening patrons. This two week period is in the middle of the summer tourist season, in which downtown traditionally experiences a greater demand for parking space than any other time of the year. The weather was sunny and warm throughout the survey period, creating the optimal conditions for peak summer demand. The results of this survey are summarized in Appendix D, broken down by type of parking and the percentage of occupied parking spaces.

During the weekdays, on-street parking demand approaches full capacity, averaging about 90% occupied. However, during this same period, public and private parking lots, with the exception of public Lots C and D, were generally less than half full. On-street parking demand was even greater during the weekends, with most streets 100% occupied. Demand for public parking lot space was also greater on the weekends, with occupancy generally in the 70-85% range. Weekend demand for private parking lot space was somewhat lower, averaging about 70% full.

These survey results raise a number of questions. Is metered on-street parking preferred because it is slightly cheaper than the public parking lots, or are the public lots so expensive that they are cost-prohibitive to beach visitors and possibly to some downtown patrons? Is the cost of public parking lots discouraging potential downtown patrons, thereby artificially creating the impression that downtown has an adequate parking supply? Are downtown patrons taking advantage of the parking validation program? Are downtown patrons parking outside the downtown district in residential areas to avoid the public parking lot fees? Should the cost of public parking space be subject to further studies? A study of the optimum price for parking may be in order.

The question of whether downtown patrons utilize parking facilities located outside of the downtown area, and to what extent, requires further study beyond the scope of this report. Many of the other questions raised focus on the issue of whether the public parking lots are cost-prohibitive, and perhaps as a consequence, impeding local business growth. The major public lots located in the heart of downtown (Lots A, B, and C) charge \$1.25 for every 30 minutes or portion thereof during the summer peak months, while the metered on-street spaces are \$0.25 per 30 minutes. At a cost differential of \$2 per hour, the public lots are clearly less desirable for shoppers and for daytime beach visitors and evening nightclub patrons who typically stay in the area for 3-4 hours. There may be a need for lowering the differential between meter parking and the public parking lots.

Although many downtown merchants will validate customer parking for up to three hours in Lots A, B and C, it is possible that many shoppers and beach patrons are unaware of this validation program, which has been in effect for many years. Since a marketing effort was initiated in late 1991 to encourage more downtown businesses to participate in this program, a majority of downtown merchants now offer parking validations. However,

merchants must purchase validations from the VPD, and consequently an individual merchant will typically only validate for the time period actually spent at that store, which is usually just a 30 minute validation. This makes validation for the full period of parking lot occupancy primarily limited to persons with specific shopping destinations, which are more likely to be the shoppers who would patronize downtown stores regardless of a validation program. Beach visitors and other downtown patrons who wish to casually browse stores and/or window shop will have difficulty achieving full validation, and in some cases even enough validation to nullify the cost differential as a deterrent from using the public lots. Since a major goal of this program is to promote downtown patronage, the validation period should be of an adequate duration to encourage more casual shopping. The opportunity for a substantial validation period would also encourage greater shopping durations by beach visitors and other persons who would not consider casual shopping their primary downtown pursuit. A more generous validation program would result in greater public parking lot utilization, thereby providing a better indication of whether existing downtown parking facilities are really adequate for full peak demand.

The most recent comprehensive Citywide parking survey conducted by staff was completed in August 1991. The purpose of this study was to compare current parking requirements by general land use type for each commercial district with the actual number of total on- and off-street parking spaces provided in each commercial area.

For the downtown commercial district, the parking requirements by land use type are listed in Table 3:

TABLE 3
DOWNTOWN PARKING REQUIREMENTS

<u>Land Use</u>	<u>Parking Requirement</u>	<u>Total Gross Floor Area</u>	<u>Total Required Parking Spaces</u>
Office	One space per 250 sq.ft.	40,571 sq.ft.	162
Medical Office	One space per 200 sq.ft.	6,153 sq.ft.	31
Retail	One space per 250 sq.ft.	211,394 sq.ft.	846
Restaurant	One space per 100 sq.ft.	67,918 sq.ft.	679
Bar/Cocktail Lounge	One space per 80 sq.ft.	4,950 sq.ft.	62
Entertainment	One space per 50 sq.ft.	7,760 sq.ft.	155

Gymnasium	One space per 100 sq.ft.	3,625 sq.ft.	36
Theater	One space per 50 sq.ft.	8,550 sq.ft.	171
Residential	Two spaces per unit plus guest parking	85 units	213
Hotel	One space per room	17 rooms	<u>17</u>
TOTAL REQUIRED PARKING			2,372

Based on the above parking requirements, the current land uses in downtown would be required to provide a total of 2,372 private off-street parking spaces. However, the staff survey found only a total of 1,067 parking spaces, broken down as follows:

On-street parking spaces -	381
Public parking lot spaces -	280
Private off-street parking spaces -	<u>406</u>
TOTAL EXISTING PARKING	1,067

The downtown commercial district is therefore 1,305 parking spaces deficient by current parking standards, even including public parking spaces in the total inventory. If only private parking spaces are considered, the total deficient increases to 1,966 spaces.

For the Pier Avenue commercial corridor, the parking requirements by land use type are listed in Table 4:

TABLE 4
PIER AVENUE CORRIDOR PARKING REQUIREMENTS

<u>Land Use</u>	<u>Parking Requirement</u>	<u>Total Gross Floor Area</u>	<u>Total Required Parking Spaces</u>
Office	One space per 250 sq.ft.	45,196 sq.ft.	181
Medical Office	One space per 200 sq.ft.	6,955 sq.ft.	35
Retail	One space per 250 sq.ft.	43,646 sq.ft.	175
Restaurant	One space per 100 sq.ft.	7,279 sq.ft.	73
Residential	Two spaces per unit plus guest parking	17 units	43

Government	One space per 75 sq.ft.	5,000 sq.ft.	67
Library	One space per 75 sq.ft.	6,850 sq.ft.	91
Mortuary Chapel	One space per 75 sq.ft.	934 sq.ft.	<u>12</u>
TOTAL REQUIRED PARKING			677

Based on the above parking requirements, the current land uses in the Pier Avenue corridor would be required to provide a total of 677 private off-street parking spaces. However, the staff survey found only a total of 516 parking spaces, broken down as follows:

On-street parking spaces -	147
Private off-street parking spaces -	<u>369</u>
TOTAL EXISTING PARKING	516

The Pier Avenue commercial corridor is therefore 161 parking spaces deficient by current parking standards, even including public on-street parking spaces in the total inventory. For private parking spaces only, the deficiency would be 308 spaces.

For the Aviation Boulevard commercial corridor, the parking requirements by land use type are listed in Table 5:

TABLE 5
AVIATION BOULEVARD CORRIDOR PARKING REQUIREMENTS

<u>Land Use</u>	<u>Parking Requirement</u>	<u>Total Gross Floor Area</u>	<u>Total Required Parking Spaces</u>
Office	One space per 250 sq.ft.	8,944 sq.ft.	36
Medical Office	One space per 200 sq.ft.	4,130 sq.ft.	21
Retail	One space per 250 sq.ft.	55,053 sq.ft.	220
Restaurant	One space per 100 sq.ft.	8,965 sq.ft.	90
Residential	Two spaces per unit plus guest parking	10 units	25
Hotel	One space per 1st 50 rooms; one space per 1 1/2 rooms after 50	68 rooms	62

Church	One space per 50 sq.ft.	5,330 sq.ft.	107
Auto Sales/ Service	One space per 1,000 sq.ft. of lot area	41,628 sq.ft.	42
Service Station	One space per 1,000 sq.ft. of lot area	8,490 sq.ft.	8
Vacant Retail	One space per 250 sq.ft.	3,818 sq.ft.	<u>15</u>
TOTAL REQUIRED PARKING			626

Based on the above parking requirements, the current land uses in the Aviation Boulevard corridor would be required to provide a total of 626 private off-street parking spaces. However, the staff survey found only a total of 605 parking spaces, broken down as follows:

On-street parking spaces -	83
Private off-street parking spaces -	<u>522</u>
TOTAL EXISTING PARKING	605

The Aviation Boulevard commercial corridor is therefore 21 parking spaces deficient by current parking standards, even including public on-street parking spaces in the total inventory. If only private parking spaces are counted, the deficiency would increase to 104 spaces.

For the Pacific Coast Highway commercial corridor, the parking requirements by land use type are listed in Table 6:

TABLE 6
PACIFIC COAST HIGHWAY CORRIDOR PARKING REQUIREMENTS

<u>Land Use</u>	<u>Parking Requirement</u>	<u>Total Gross Floor Area</u>	<u>Total Required Parking Spaces</u>
Office	One space per 250 sq.ft.	241,145 sq.ft.	965
Medical Office	One space per 200 sq.ft.	17,468 sq.ft.	87
Retail	One space per 250 sq.ft.	263,175 sq.ft.	1,053
Restaurant	One space per 100 sq.ft.	70,717 sq.ft.	707

Residential	Two spaces per unit plus guest parking	9 units	23
Hotel	One space per 1st 50 rooms; one space per 1 1/2 rooms after 1st 50	104 rooms	86
Bar/Cocktail Lounge	One space per 80 sq.ft.	5,979 sq.ft.	75
Church	One space per 50 sq.ft.	8,000 sq.ft.	160
Gymnasium	One space per 50 sq.ft.	7,062 sq.ft.	141
Theater	One space per 50 sq.ft.	26,492 sq.ft.	530
Auto Sales/Service	One space per 1,000 sq.ft. of lot area	503,206 sq.ft.	503
Vacant Retail	One space per 50 sq.ft.	9,958 sq.ft.	<u>40</u>

TOTAL REQUIRED PARKING 4,370

Based on the above parking requirements, the current land uses in the Pacific Coast Highway corridor would be required to provide a total of 4,370 private off-street parking spaces. However, the staff survey found only a total of 2,973 parking spaces, broken down as follows:

On-street parking spaces -	291
Private off-street parking spaces -	<u>2,682</u>

TOTAL EXISTING PARKING 2,973

The Pacific Coast Highway corridor is therefore 1,397 parking spaces deficient by current standards, even including public on-street parking spaces in the total inventory. For private parking only, the deficient increases to 1,688 spaces.

Based on current parking requirements, the total Citywide parking deficiency is 2,884 spaces if public parking spaces are included, and 4,066 spaces if only private spaces are considered.

Given the City's substantial deficiency of code required parking spaces, a future Citywide parking surplus of over 1,750 spaces as forecast in the Parking Element is clearly overly optimistic. The City has historically had a low rate of new residential and commercial developments. This may be partially explained by the desire of some property owners to retain existing structures

which do not conform to current code regulations, e.g. density, parking, rather than build new developments which would convert existing floor space into new parking space. Based on the City's development history, it is difficult to accept a forecast of widespread new development that will eventually provide a parking surplus. The projected surplus of 715 office spaces is particularly surprising, since local office space demand has been low in recent years, with only a few office developments completed in the last 20 years.

Market Survey

From July 30 through August 6, 1990, staff conducted a random survey of users in all four commercial districts (see Map 13A). A total of 216 respondents (46% male and 54% female) were polled during this period, with over a third of the respondents in the 20-34 age group, over a quarter in the 35-49 age group, and the remaining respondents evenly spread out among all other age groups. Nearly half (49.5%) of the respondents resided in Hermosa Beach, with 20.8% from Redondo Beach, 8.8% from Manhattan Beach, 8.3% from Torrance, 2.7% from Gardena, and the remainder (9.7%) from either out of state or the country. The specific findings for each commercial district are provided in Appendix E.

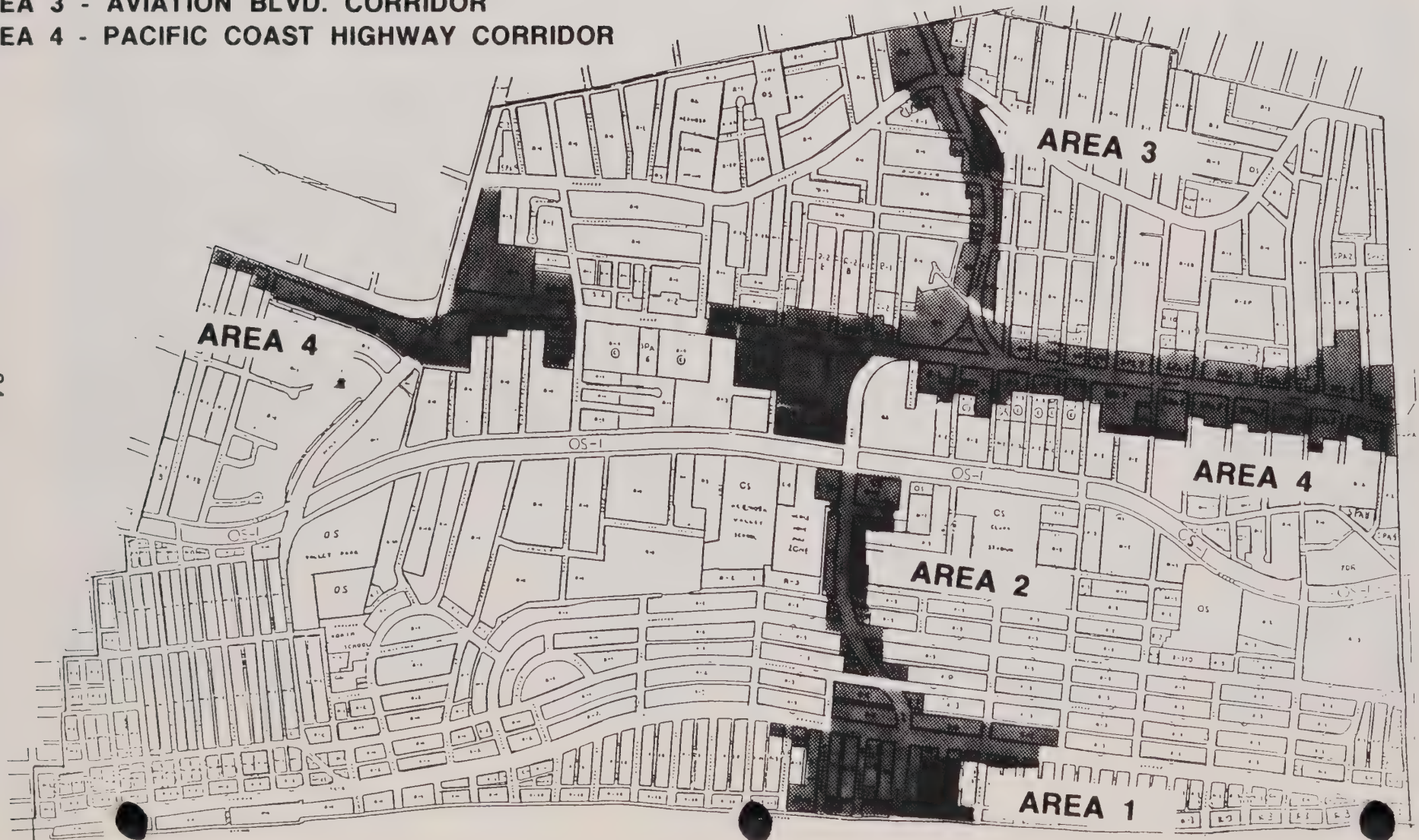
Area 1

For Area 1 (downtown), the study found that nearly two-thirds of downtown users (65%) prefer driving to downtown over other means of transportation. An overwhelming 84% of respondents use public parking, either off-street lots or on-street spaces, over private parking areas. Area 1 users showed a greater preference for on-street public spaces over public parking lots, which is most likely due to the lower cost of metered on-street spaces over parking lot fees. Due to the prevalence of on-street metered parking spaces throughout Area 1, and the central location of public lots, most respondents were able to park within one block of their intended destination. The predominance of public parking utilization is not surprising, given the fact that the supply of Area 1 public parking spaces far exceeds private spaces. This abundance of public parking facilities, characterized by a use demand which only approaches full utilization on summer weekend days and evenings, greatly diminishes the need for individual retailers to provide all private parking spaces required under the zoning code.

Although shopping was the most common reason given for Area 1 trips, beach visits were a close second among respondents (39% to 34%), with work trips ranked third at 27%. Most Area 1 respondents (60%) were under 34 years of age and commuted alone (59%). The ratio of residents to non-residents visiting Area 1 was roughly even. Afternoons were the most popular visitation time, indicating a linkage between beach use and shopping. Area 1 patrons, by a large margin, reported that Area 1 was their favorite among the City's four major commercial districts. Repeat visit respondents, defined as 12 or more trips to the same district per month, made up about half of all Area 1

MAP 13 A
COMMERCIAL / PARKING STUDY AREAS

- AREA 1 - DOWNTOWN**
- AREA 2 - PIER AVENUE CORRIDOR**
- AREA 3 - AVIATION BLVD. CORRIDOR**
- AREA 4 - PACIFIC COAST HIGHWAY CORRIDOR**



respondents. In terms of other commercial districts, Area 1 users indicated a preference for Area 2 (Pier Avenue) and Area 4 (Pacific Coast Highway) corridors over Area 3 (Aviation Boulevard) commercial district.

Area 2

Commuting by car and use of public parking facilities was only favored by slight majorities in the Area 2 (Pier Avenue) corridor (60% and 58%, respectively). Solo commuters made up about 70% of all users in this commercial district. The predominance of on-street public parking spaces along Area 2 allowed most respondents (65%) to park within one block of their intended destination. The ratio of shopping to work trips was 46% to 32%, with 22% giving employment as their primary purpose for coming to Area 2. Hermosa Beach residents outnumbered non-residents by a two-to-one ratio for this district, while a small majority were 35 or over (56%). About two-thirds of the respondents were repeat visit respondents. Afternoons were the slightly favored commute time. Area 2 patrons reported a strong preference for the Area 4 (Pacific Coast Highway) corridor over the Area 1 (downtown) and Area 3 (Aviation Boulevard) districts, along with nearly a two-to-one preference margin for Area 4 (Pacific Coast Highway) over the Area 2 (Pier Avenue) corridor. It is surprising that the close proximity of Area 2 does not draw more patrons from this district to Area 1.

Area 3

Nearly three-quarters (72%) of all Area 3 (Aviation Boulevard) patrons commute by car and utilize private parking spaces (75%). The parking preference is due to the abundance of private parking areas, which are generally closer to the primary destinations than the on-street public spaces. About two-thirds (65%) of all respondents were solo commuters. Shopping was the primary visitation reason for 70% of the Area 3 users, with employment as the primary reason for the balance of respondents. Mornings were the preferred trip time of day. None of the Area 3 users identified the beach as the primary trip generator, which is predictable since this district is beyond convenient walking distance to the beach. About half the respondents for this district were residents, and were also evenly spread out in terms of age. This is the only commercial district where non-repeat visitors were more common, comprising more than two-thirds of the surveyed users (69%). Area 3 users were also split rather evenly in patronage of other districts, but reported low use rates for all commercial districts.

Area 4

Most **Area 4** (Pacific Coast Highway) respondents commuted by car, with shopping and employment nearly even in terms of primary trip destination. Private parking was used on a three-to-one basis over public parking. Nearly all respondents (84%) were solo commuters. Repeat visit respondents made up a small majority

(61%) and over three-quarters were non-residents. Trip times were evenly split between mornings and afternoons. This commercial tended to attract more patrons 35 years and over than the other districts. Area 4 users overwhelmingly identified this commercial district as their favorite, with little to no patronage of the other three commercial districts.

In regard to the products most often purchased, the responses were rather unexpected. In all four districts, groceries were given as the most purchased product, even for Area 3 (Aviation Boulevard) which has a very limited supply of grocery-oriented retailers. Restaurant foods were given as the second most purchased item for Area 1 (downtown) and Area 4 (Pacific Coast Highway), with gifts running second for Area 2 (Pier Avenue) and professional services second for Area 3. The responses on other products were too scattered among various goods to be statistically significant.

Summary

In terms of overall demographics, the Area 1 patron is more likely to be a resident under 35, driving alone and parking in a public parking space. The beach is as likely to be the primary downtown destination as the retail outlets. Area 2 patrons are more likely to drive alone, live in Hermosa Beach, and slightly more likely to park in public spaces. The beach is also a significant primary destination for Area 2 visitors, although patronage of downtown shops is low for this group. Area 3 patrons mostly arrive in cars alone and park in private parking areas, but are as likely to be non-residents as locals. Shopping is the primary reason for visits into this district. Area 4 visitors are more likely to be non-residents 35 or over, drive alone and park in private lots. This group is about evenly split by primary destination, which is either shopping or employment.

The abundance of public parking spaces over private spaces in Areas 1 and 2 makes public parking the more popular choice for visitors to these districts. Areas 3 and 4, conversely, are characterized by small private parking lots for individual businesses and corner shopping centers. Due to the availability of private parking in close proximity to the primary destinations of visitors, combined with a low supply of public spaces which are limited to on-street spaces, private parking is the preferred choice for Area 3 and 4 users.

FEASIBILITY ANALYSIS

The City's commercial districts have long been distinguished by the following land use and parking characteristics:

1. Small commercial properties that were subdivided back in the early part of this century, when provision for off-street parking space was not encouraged or even desirable since maximizing the number of new lots was often the primary consideration.

2. High business turnover rates that can result in different types of retailers, with different parking demand potential, occupying the same commercial space.
3. Existing commercial uses that do not meet current parking standards due to lack of available space for on-site parking.

The subdivision history and development patterns of the City have left many commercial properties incapable of meeting even relatively lenient parking standards. The small lot proportions of most commercial properties make it extremely difficult, if not impossible, for existing developments to provide both adequate commercial floor space and off-street parking. Generally speaking, only new commercial developments would be in a position of being able to meet the City's current parking standards. Given the fact that most adjacent commercial properties are in separate ownership, lot consolidation would be difficult to achieve. Therefore, even new commercial developments might require some type of parking structure due to restrictive property dimensions.

Flexible Commercial Parking Standards

For new commercial enterprises and existing businesses seeking approval of structural expansions located within the Vehicle Parking District (VPD) No. 1 boundaries (which is essentially the same boundaries as the downtown commercial district), the zoning ordinance allows these businesses to pay in-lieu fees as compensation for providing less than all code required parking spaces. This in-lieu fee program was initiated at the direction of the Coastal Commission, but the City has the authority to set the fee rate. This fee is periodically adjusted according to the Consumer Price Index, presently amounting to a one-time only charge of \$8,107 per required parking space as of December 1991. Proceeds from this in-lieu fee go to a VPD improvement fund for the future construction of new parking facilities. Once in-lieu fees for 100 spaces have been collected, the City is required by the Coastal Commission to provide at least 100 new spaces.

Although the intent of this in-lieu fee is commendable in attempting to provide relief to downtown businesses from unattainable parking requirements while also establishing a parking improvement fund, the implementation of this provision has been less than successful. At the current rate of \$8,107 per required parking space, most downtown merchants cannot afford this as a parking standard alternative. As a result, applications for in-lieu fee payments have been practically nonexistent. Furthermore, even if downtown merchants were able to afford this fee, the funds collected would amount to only approximately half of what would be required for the land acquisition and/or construction costs for downtown parking lots and/or structures.

Instead of paying the in-lieu fee, the common approach for downtown businesses, as well as businesses located outside of

downtown, is to apply for a parking plan as provided under Section 1169 of the zoning ordinance. Approval of a parking plan by the Planning Commission allows for a reduction in the number of parking spaces required for a business, based on a variety of possible business-specific and/or site-specific factors. Since the application fees for a parking plan are just a small fraction of the in-lieu fee for just one parking space (approximately \$1,500 for all parking plan fees v. over \$8,000 per parking space for the in-lieu fee), this in-lieu fee program is effectively priced out of any practical usefulness. Greater participation in this program could be achieved by lowering the fee or spreading out payments to a multi-year schedule. Lowering the fees, however, would make it even more difficult to fund construction of new parking facilities.

The zoning ordinance also allows for consolidated off-street parking (Section 1170), in which required parking spaces for various uses may be reduced in number and computed at one space per 250 square feet of gross floor area (the parking requirement for general retail uses) when parking is consolidated in retail shopping centers over 10,000 square feet in size, or where public parking areas are created to take the place of on-site parking within vehicle parking districts. Due to the limited applicability of this provision, consolidated parking is not a viable option for most local businesses.

Implementation Policy 3.3 of the Parking Element seeks to "encourage the most efficient use of parking facilities. Where applicable, existing development should consider provisions for compact spaces, tandem parking valet service, shared parking and other innovative means to resolve parking deficiency." While parking plans and other methods for reducing the number of required parking spaces is the most common business response to the City's parking problems, more attention should be placed on parking efficiency for serving demands rather than determining an absolute minimum number of code required spaces.

Shared parking facilities is a concept that is commonly used in dense urban areas. In shopping centers and other multi-tenant commercial developments, shared parking can adequately accommodate parking demands since the combining of land uses results in a demand for parking space that is less than the demand generated by the individual commercial uses. This condition is typically the result of two factors:

1. Variations in the peak accumulation of parked vehicles which results from different peak parking demand patterns for the land uses served by a shared parking facility, e.g. general retailers with mid-day peak demands sharing parking spaces with restaurants that have evening peak demands.
2. Relationships among land uses sharing parking facilities which would encourage shoppers to patronize more than one business on a single trip, e.g. visit grocery store, apparel shop and video store in one trip.

Shared, or common, parking facilities are permitted with the approval of a parking plan by the Planning Commission under Section 1154 of the zoning code. The provisions of this section are intended for two or more uses when one or more of these uses will "only infrequently generate use of such parking area at times when it will ordinarily be needed by the patrons or employees of the other use(s)." Factors such as the location, accessibility, and intended land uses are all taken into consideration for each parking plan application for sharing parking facilities.

For a shared parking facility to adequately serve all participating land uses, the peak demands for the individual uses must occur at different times of the day. The typical peak parking demand periods for the various types of commercial land uses are as follows:

<u>Land Use</u>	<u>Period of Peak Demand</u>
Office	Weekday - Daytime
Retail	Weekday - Daytime Weekend - Daytime
Hotel/Motel	Weekday - Evening Weekend - Evening
Restaurant	Weekday - Evening Weekend - Daytime and Evening
Entertainment	Weekday - Evening Weekend - Evening

Given a mix of land uses sharing a parking facility, certain land uses could potentially reduce their parking requirement by as much as the following percentages:

<u>Land Use</u>	<u>Percentage of Required Parking</u>
Retail	60%
Hotel/Motel	75%
Restaurant	50%
Entertainment	40%

A theater, for example, could provide just 40% of its code required parking in a shared parking facility. A parking demand reduction schedule assumes that none of the spaces would be reserved for any particular use(s) on a 24 hour basis. Office uses are not included in this parking reduction schedule since this parking demand is employee-generated and would therefore remain at full peak demand during regular office hours.

Most of the drawbacks to shared parking relates to the size, location, and operating characteristics of a particular facility. The facility must be large enough to adequately accommodate, at a minimum, the reduced parking demands for all permitted and/or

anticipated users. The facility should be in close proximity to all users, which is generally interpreted as within 500 feet of the users. A public parking structure intended to serve an entire commercial area, e.g. downtown, would probably not be able to meet this requirement. For this reason, a public parking facility such as a downtown parking structure is more appropriate as a general facility intended to augment existing parking rather than a shared parking facility for specific uses. Shared parking arrangements work best for a specified number of land uses located close to a facility that can adequately accommodate the highest aggregate peak demand period for all uses.

Potential difficulties related to the operating characteristics of shared parking facilities involve the following issues:

1. Ownership of the shared parking facility. If the facility is located off-site from the land uses it serves, many communities require common ownership of the properties containing the parking facility and the land uses it serves. Alternatively, the owner of the parking facility could enter into a legal agreement with the City assuring the continued availability of the parking facility for the intended uses.
2. Protection of rights to use shared parking facilities. This would probably require a legal agreement among the participating businesses authorized to use the facility for employee and/or customer parking.
3. Sharing of maintenance costs. Again, this would probably require a legal agreement among the participating businesses to set up a maintenance fund and specify the contributions from each participating land use.
4. Changes in property ownership, land uses, or hours of operation for existing businesses. Some provision should be made in the legal agreement that would restrict use of the shared parking facility to certain types of uses. If a future use intensification is proposed, the property owner would be required to obtain additional off-street parking space or a parking plan approval prior to commencement of the new use.

Stacked parking, such as tandem spaces or valet parking, is another option for commercial properties with inadequate space for code required parking. Although tandem parking is a practical approach for commercial properties with limited parking space, the zoning ordinance only addresses tandem parking standards for residential uses. Commercial tandem parking is permitted only as part of an approved parking plan, contingent upon the availability of valet service. This is an option that should be encouraged more where circumstances permit.

Underground parking is also permitted under zoning code Section 1163. This is obviously intended more for new developments and

is not a practical solution for existing commercial developments with inadequate parking. However, the construction expense would be cost prohibitive for most new developments.

Feasibility of new commercial public parking facilities

Implementation Policy 3.0 of the Parking Element states that the City should "study construction of a public parking facility in the downtown to enhance business, possibly on the northwest corner of Pier and Manhattan Avenues and in the Civic Center area to serve visitors to the City. Investigate an efficient shuttle system to serve the parking structure and beach front areas." The Parking Element also references the 1981 study by Greer and Company, which recommends the construction of two 4-level parking structures on downtown Parking Lots A and C. This study recommends that these two parking structures include ground floor retail uses for revenue enhancement and compatibility with the surrounding commercial uses.

For several years, the City has explored the possibility of a parking structure that could accommodate and promote the downtown shopping district. The two primary considerations in studying the feasibility of a parking structure are location and cost.

The City is a densely developed urban community with little available land for additional public parking space. Most publicly owned properties in the City are either already used for parking lots or contain public structures, e.g. Civic Center. City assistance in providing additional public parking space could involve any of the following approaches:

1. Construction of a parking structure on public property, funded either entirely by the City or with private sector assistance.
2. Acquisition of privately owned property for the construction of a parking lot or parking structure, funded either entirely by the City or with private sector assistance.
3. City participation in the construction of a privately owned and operated parking facility on private property, either in the form of funding assistance or land use incentives.

While the City could choose among any of the public parking lots around downtown, the Civic Center parking facilities, or the Community Center lot for a parking structure site and thereby avoid property acquisition costs, the City would still face substantial construction costs without private sector participation. The primary obstacle to this approach is the current City budget situation, which has constrained spending even for regular municipal operations. The current financial condition of the City renders public financing infeasible without private sector participation or resorting to mechanisms that have

been politically unpopular, e.g. special assessment districts, redevelopment.

Although the City is not presently in a position to fund a parking structure, it is still worthwhile to consider the level of operating revenues necessary to support this type of construction. A study prepared by Economics Research Associates (ERA) in 1986 indicated that a City financed parking structure could be financially feasible under certain conditions. This report states that based on a parking demand analysis, which included downtown and Plaza Hermosa employees, and a parking rate of \$0.25 per half-hour, the level of earned income would be sufficient for debt service on 275 parking spaces. Two alternative parking structure concepts were then analyzed, based on the assumption that supplemental funds would be provided from the City Parking Fund. Alternative A would provide an estimated 390 spaces in a partially subterranean structure at a total cost of approximately \$3.3 million, while Alternative B would provide 440 spaces in an all above-ground structure for about \$3.2 million. The resulting annual debt service would be \$327,000 for Alternative A and \$309,000 for Alternative B, requiring a first-year Parking Fund subsidy of \$154,000 for Alternative A and \$136,000 for Alternative B. Although ERA concludes that a Community Center parking structure would be feasible, this conclusion is based on generous revenue assumptions. For instance, it is assumed that revenue from parking meter violations would be sufficient to provide over one-third of the parking structure operating revenues. In addition, monthly permit revenue was projected on the basis of \$25 per permit per month, which considering that this study is in 1986 dollars, could be considered excessively high in comparison with other parking options.

Since construction financing is the single largest constraint to providing a public parking structure, a more realistic approach would be to allow a private interest fund the construction. This type of arrangement typically involves leasing public property to a parking management company in return for allowing the company to build and operate the structure pursuant to a lease agreement.

In 1987, Ridgemont Parking Systems (RPS) prepared a downtown parking structure proposal based on a "parking privatization" financing vehicle. RPS proposed to manage by contract downtown Parking Lots A, B and C for a period of 30 years. As part of this management agreement, RPS would finance, construct and operate a three-level, 450 car parking garage on Lot C. This agreement would also require RPS to upgrade and operate Lots A and B. The contract would be in the form of a lease agreement in which RPS would pay to the City a \$100 per year in base rent and a percentage of the gross parking revenues it collects above a base revenue figure of \$900,000 after the fourth year. In return, RPS would also receive a percentage of all fines levied on parking violations that occur on the subject properties. At the expiration of the 30 year lease, title would return to the City, lien free. This proposal was forwarded to the City Council in 1989, at which time it was received and filed.

Some publicly owned undeveloped properties have locational benefits for use as a parking lot/structure, but are restricted in use potential. The Greenbelt open space strip between Valley and Ardmore is restricted in public parking use to the existing paved area on Valley Drive. The Biltmore site, barren since the hotel demolition approximately 25 years ago, has been redesignated to Open Space as the result of an initiative approved by local voters in November 1992.

City acquisition of private property would be a potentially expensive and unnecessary approach. With the availability of publicly owned parking lots, the additional expense of land acquisition is not justifiable.

The other possible approach to increasing the public parking supply would be to encourage commercial development that includes a parking lot/structure open to the general public. As mentioned above, most commercial properties are limited in proportions and are under separate ownership. Of the few commercial properties large enough to support a commercial development with a parking structure, the property at the northwest corner of Pier and Manhattan Avenues is probably the best known candidate. A vacant site located adjacent to this corner property on Manhattan Avenue is presently the subject of a Chamber of Commerce economic feasibility study.

The City's ability to offer various land use incentives for private construction of public parking facilities is to some extent limited. The recent trend in the City has been oriented toward reducing building mass and bulk, as demonstrated by the November 1991 voter initiative to lower commercial building heights (Proposition I), which passed by nearly a two-to-one margin. Given this context, it may be difficult to justify granting one development a building density bonus when other developments are being scaled back. However, land use incentives, such as allowing mixed uses on a parking structure site, could be considered.

Feasibility of revised residential parking requirements

The single most significant cause for the City's on-street parking shortages is its residential subdivision history. Many residential properties, particularly west of Pacific Coast Highway, were originally intended for weekend beach cottages with little or no provision for off-street parking space. The intent was to create as many properties as possible for speculative ventures, with the resulting properties allowing just enough room for a small cottage. The occupants were often weekend or seasonal visitors who utilized rail transportation from the urbanized Los Angeles neighborhoods. Since the City was developed primarily as a vacation resort, large residential properties that could adequately accommodate permanent residents were considered inappropriate. It should also be noted that this was a period when many considered the automobile to be a temporary fad.

The Parking Element Implementation Policies related to residential uses reflects the overall lack of available on-street parking in the City. These policies recommend the continued implementation of preferential parking districts in residential neighborhoods (Implementation Policy 3.2) and requiring the use of garages for parking vehicles rather than storage (Implementation Policy 3.7).

In addition to the Parking Element, the City's Housing Element sets forth four specific policies related to residential parking:

Policy 5 - Off-street parking spaces shall meet standards relating to size, access and location.

Policy 6 - Provision of required off-street parking spaces shall be based on typical use, household demand, total floor area for dwelling units, and number of units in developments.

Policy 7 - Parking spaces, open or enclosed, shall be for that designation and strict enforcement will be used to prevent conversion to storage or residential use such as bedrooms, "bootleg" units, dens, etc.

Policy 15 - Parking shall be designed to maximize its usefulness and availability, particularly guest spaces.

The current off-street parking requirements for residential uses are listed in Section 1151 of the zoning ordinance.

Single-family dwellings are required to provide two off-street parking spaces plus one guest space. Two-family dwellings must provide two off-street parking spaces for each unit plus one guest space. Multiple dwellings of three or more units are required to provide two off-street spaces for each dwelling unit plus one guest space for every two dwelling units. Two-family and multiple dwellings are also required to provide one additional space of on-site guest parking for each on-street space lost due to new curbcuts. One off-street space is also required for each detached servant quarters or guest house.

Recent parking studies provide some evidence that parking demands are slightly greater for owner-occupied units than renter occupied units. There is also evidence that the number of vehicles per unit increases with the number of bedrooms. The parking demand for these various residential uses can be quantified in Appendix F.

A study on multi-family parking demand patterns was conducted by Kunzman and Associates in 1981 for the County of Orange. This study concluded that the most consistent indicator of parking demand for multi-family housing is floor area, as expressed in square footage. The number of bedrooms was found to be the second best indicator of parking demand, and the number of dwelling ranked third best. Another conclusion of this study was that each unassigned parking space in a multi-family development is equivalent to 1.17 assigned parking spaces. This is due to the fact that an assigned parking space can only be used by one

residence, while an unassigned space can be used by any resident or visitor. The study therefore concludes that for multi-family developments, the total parking requirement can be reduced if unassigned spaces are provided.

A less quantifiable factor that also determines parking demand in multi-family developments is the location of assigned parking spaces relative to a resident's front door. If the assigned unenclosed spaces are not conveniently located, residents may use visitor parking spaces or on-street parking.

Location Requirements for Residential Off-Street Parking

The standards regulating off-street parking locations for residential uses are listed in Section 1157 of the zoning ordinance. Among these standards are requirements that: all parking spaces shall be located on the same lot as the use for which such spaces are provided; a maximum distance of 200 feet total walking distance from the nearest entrance of the dwelling unit to the parking space; garages or parking stalls fronting on a public street shall be set back a minimum of 17 feet from the property line if roll-up garage doors are installed, or 20 feet if standard garage doors are installed; and residential parking within the first 20 feet of the property is only permitted if the parking space is paved and leads to a garage. This section also specifies conditions for permitting garages on a side or rear property line which does not border a street or alley.

Section 1158 of the zoning code regulates the dimensions of parking spaces, which for residential uses shall be a minimum of 8.5 feet in width and 20 feet in length. Guest parking spaces located in tandem behind a required parking space shall have a minimum length of 17 feet. Guest parking spaces situated parallel to alleys and located behind garage doors with a 9 foot setback shall have a minimum length of 22 feet. Guest spaces are prohibited from being located behind another guest space (Section 1159).

While the City's requirement of two spaces per unit is the typical residential standard found in most communities, the locational requirements can lead to practical difficulties in application. Since many residential properties were not subdivided to allow room for off-street spaces, compliance with standards such as minimum setbacks from the front property line can make compliance next to impossible. Some of the older residential properties could therefore be unable to legally provide off-street parking and may have to depend on street parking. Even with preferential parking permits, finding available on-street parking in the evening can be a formidable task.

The City's current residential parking standards, based on modern parking demand studies, are well-suited to new housing developments. However, these standards are extremely burdensome on older residential properties that were subdivided long before the automobile became the dominant mode of transportation and the

majority of families became two wage-earner households. Enforcing modern parking regulations on older properties, which are nonconforming in terms of modern standards for minimum lot size, essentially places an undue burden on these properties by depriving the occupants of a basic use of the property, namely the ability to park vehicles on that property.

In light of the differences in potential off-street parking space between new residential developments and older properties, it may be appropriate to establish separate Parking Element policies to reflect these differences. The current Implementation Policies related to residential uses (3.2 and 3.7) provide some direction in encouraging parking efficiency, but do not directly address the off-street parking problems experienced in older properties. It may be worthwhile to consider special off-street parking policies for existing lots that are of substandard dimensions by modern standards, e.g. under 4,000 square feet. Policies for older, substandard residential lots could address front yard parking and minimum setbacks from front property lines. This would be consistent with the intent of Housing Element Policy #15, that parking be designed to maximize its usefulness and availability.

CONCLUSIONS

Based on an analysis of existing conditions and the feasibility of new parking facilities, the following general conclusions can be made:

1. Under present conditions, the City will continue to experience a lack of residential on-street parking and downtown on-street parking, particularly during the summer peak months.
2. Due to the historically low rate of new residential and commercial development in the City, it is unlikely that market forces alone will replace existing nonconforming structures and result in a parking surplus, as projected in the Parking Element.
3. The City will not be in a position to financially participate in the construction of a public parking structure.
4. Given the lot dimension constraints to providing code required on-site parking characterizing many commercial properties, the City's current parking standards will continue to be an inhibiting force on local economic development.

The first two conclusions are merely statements of local conditions, without any recommended City action. The last two conclusions offer possible directions for the City in attempting to address current parking conditions without punitive side-effects to the local business community.

Public Parking Structure

In terms of a future public parking structure, the following considerations must be addressed:

1. How would a parking structure impact local traffic volumes and circulation conditions?
2. Would a parking structure impact public safety by providing a haven for criminal activities?
3. Would a parking structure significantly improve the local economy by increasing shopper and beach visitor demand?
4. If a parking structure would benefit the local economy, would the benefit be significant enough to be an overriding consideration if the structure would be expected to produce negative traffic and public safety impacts?

The answer to these questions depends in part on the size and location of the future structure. Once this has been determined, the extent of potential positive and negative impacts could then be examined throughout the environmental review process.

Since the City may not be in any position to participate financially in the construction of a public parking structure, the most realistic approach would be to encourage a privately built and operated facility. This could involve a lease agreement with a parking management company to build and operate a parking structure on City property for a specified number of years and City participation in revenues, similar to the proposal by Ridgemont Parking Systems. Alternatively, a structure could be built on private property based on development agreement with the City to ensure mutually beneficial results. A project of this nature would likely be a mixed use venture, potentially combining retail/restaurant and/or residential uses with the parking structure. Land use incentives may be the only feasible enticement available to the City, since structural bulk incentives may not be politically possible.

Potential for Shared Commercial Parking Facilities

Allowances for shared parking facilities would permit more businesses to meet current parking standards by utilizing off-site facilities. For commercial areas with small, scattered private parking lots, such as the Aviation Boulevard and Pacific Coast Highway corridors, some existing lots may be utilized by off-site businesses. For the downtown and Pier Avenue corridor, current conditions would require the construction of a parking structure to accommodate increased demand from land use intensification and/or strict enforcement of current parking requirements on existing businesses.

It is important that any off-site parking facility be in a location that will adequately serve the targeted land uses. In making this determination, the following factors should be considered:

1. Proximity of the off-site parking facility. A generally accepted rule-of-thumb is that the facility should be within 500 feet of the properties.
2. Ease of pedestrian access to the off-site parking facility.
3. The type of commercial uses the off-site parking facility is intended to serve. For example, off-site parking would not be appropriate for high turnover uses such as fast food restaurants. It may also be inappropriate for supermarkets and other retail uses that are heavily dependent on convenient automobile access.

Shared parking arrangements, both on- and off-site, offer a great deal of flexibility for providing adequate parking space. The specific provisions could vary considerably depending upon the size and location of the facility and the uses it is intended to serve. A shared parking facility intended to meet the code requirements for a few specified businesses is better suited for new construction where the property can adequately support both a parking structure and retail space. Given the small dimensions of most commercial properties in the City, new construction of this magnitude would require lot consolidation or, less likely, a height variance. Overall, the advantages to shared parking arrangements for new construction are significant enough to warrant flexibility in code requirements by permitting a reduced parking schedule for certain types of uses.

For existing uses on properties with inadequate parking space, it would probably be difficult to find a parking facility location close enough to the intended uses to justify limiting the facility to those specific uses. This is particularly true in the downtown and the Pier Avenue corridor. The most appropriate use for any new parking facility in these commercial areas would be a general public facility serving the entire area. Shared parking for either an on-site or off-site facility within 500 feet of the intended uses is generally more suited to new commercial development along the Pacific Coast Highway and Aviation Boulevard corridors.

Changes in Commercial Use Intensity

Under current City parking policy, if a business vacates a commercial lot with inadequate on-site parking space, the same type of commercial use, or a different commercial use with a parking requirement equal to or less than the previous use, may subsequently occupy that location and retain the parking exemption. However, if a more "intensive" use is established (defined as any use with a greater parking requirement), the new

land use must provide all code required parking. The justification for this practice is that since the City is already deficient in code required parking, allowing an exemption for more intensive uses would just exacerbate the situation. Unfortunately, this policy has an inhibiting effect on local economic development by restricting commercial properties to a limited selection of potential uses, e.g. former Mrs. Gooche's property. This situation is prevalent throughout the downtown and Pier Avenue corridor properties, and may also be found in scattered locations throughout the Aviation Boulevard and Pacific Coast Highway corridors.

Among the possible alternative approaches to the current policy on more intensive uses, the City could consider the following options:

1. Extend the parking exemption for substandard commercial lots to all uses permitted for that zoning district. This is based on the belief that the parking exemption should be for the property rather than the type of land use, since the deficiency results from inadequate lot dimensions. While extending this privilege to more intensive uses is positive from a business development perspective, the potential for negative parking and circulation impacts would be greatly increased and would most likely be prohibited by the Coastal Commission.
2. Rather than requiring a more intensive use to fully comply with current parking standards, enforce only the additional required parking resulting from the land use intensification. Although a parking deficiency would still exist, there would be no additional negative impacts on parking demand. This option acknowledges that businesses should not be penalized for locating to substandard commercial lots, while also preventing any increases in parking impacts. This approach may be acceptable to the Coastal Commission.
3. Retain current City policy on more intensive uses, but extend in-lieu fee district boundaries. This would primarily apply to properties along the Pier Avenue corridor, since most commercial properties in this area do not have on-site parking. Allowing more intensive uses to pay in-lieu fees would give these uses the opportunity to locate on substandard lots, and also provide contributions to the parking structure fund. However, this approach may only be effective if the in-lieu fee is either substantially reduced or spread out through a multi-year payment schedule. The current fee of \$8,107 per required parking space appears to be cost prohibitive for nearly all local businesses. This action would also require Coastal Commission approval.

The current policy on more intensive uses, which effectively reduces the market value of old substandard lots, discourages local economic development and should be revised. Extending the

parking exemption simply worsens local parking problems, and the in-lieu fee program, if not substantially revised, is too expensive for small business participation. Requiring a more intensive use to provide for only the additional number of spaces above the previous parking requirement may be the most fair approach since it addresses the increased parking impacts.

Potential Increases to Commercial Parking Standards

The City's current commercial parking regulations are for the most part the typical standards used by most communities. For example, the City's requirement of one space per 250 square feet of general retail floor space is midway between the generally accepted range of 200 square feet, e.g. Torrance, to 300 square feet, e.g. Santa Monica for general retail uses.

Since restaurants are one of the greatest generators of parking demands throughout the City, particularly in downtown and the Pier Avenue corridor, the current restaurant standard has been one of the most closely analyzed parking regulations. The Parking Element recommends revising the restaurant parking requirement to one space per 75 square feet of floor area from the current requirement of one space per 100 square feet. While the recent parking studies cited in this Element conclude that 75 square feet is the appropriate standard needed to accommodate average demand, this recommendation must be examined in the context of local conditions. On the positive side, increasing the restaurant parking standard would insure a sufficient parking supply for peak demand. However, more stringent commercial parking regulations could discourage new business construction on properties that could not support the additional parking space mandated by increased parking requirements. Additionally, this would likely encourage more parking plan applications to permit less parking than required by code, thereby defeating the purpose of instituting tougher standards.

Potential Reductions to Commercial Parking Standards

Since the common perception is that the City has a greater demand for parking than the available supply for commercial uses, the issue of reducing commercial parking requirements has not been given much serious consideration. Arguments in favor of reducing the current requirements would primarily relate to the favorable effects on local business development. Whether reduced parking requirements would have a substantial positive effect on local economic development is debatable. Numerous other market factors are also considered for business expansions and relocations, such as the local economy, local shopping patterns, and competing merchants and shopping centers. Since many businesses in the downtown and Pier Avenue corridor do not have adequate on-site space to meet even relatively lenient parking requirements, it is unlikely that reduced parking requirements would have much impact. However, based on the above discussed survey, allowing a reduction in parking on a case by case basis is recommended.

Reduced parking standards have also been advocated by regional planning agencies such as the South Coast Air Quality Management District (AQMD) as a method for encouraging trip reductions through employee ride-sharing and public transportation. Unfortunately, the trip reduction argument does not apply well to local conditions where most of the commercial parking demand comes from shoppers and beach visitors. Since these trips are discretionary convenience (shopping) and entertainment (shopping and beach visits) oriented rather than mandatory trips (employment), a lack of available commercial parking would simply shift demand to other communities rather than encourage alternative transportation modes.

The potential negative impacts of reduced parking requirements are considerable. It could lead to an intensification of land uses on existing shopping center properties, creating a greater demand for a fixed number of spaces. Furthermore, existing businesses that comply with current parking standards may seek a reduction the number of required spaces for land use or structural intensifications, creating the potential for a greater parking supply deficiency. Since reduced parking standards would have definite negative circulation and parking impacts while having an indeterminate effect on local economic development, this is not a recommended course of action.

Potential Changes to In-Lieu Fee

The fee per space is intended to cover the construction cost per space for a parking structure. Once in-lieu fees for 100 spaces have been collected, the City is required by the Coastal Commission to provide at least 100 new spaces. As previously discussed, the current in-lieu of \$8,107 per code required parking space for the in-lieu fee district (the downtown area) may be cost-prohibitive for most businesses. This has had the unintended effect of encouraging parking plan applications for reducing the number of code required spaces, since this is the only other method for addressing site-specific parking deficiencies.

The in-lieu fee program was initiated at the direction of the Coastal Commission, but the City has the authority to set the fee rate. It was originally set at \$6,000 per space and has been adjusted periodically to keep pace with inflation.

Reducing the current in-lieu fee amount would allow businesses the opportunity to participate in this program and offer a realistic alternative to applications for reducing the code requirements via a parking plan. Any approach that would assist the City in funding additional parking spaces would be of great benefit to the community. A reduction in the fee amount would undoubtedly encourage more participation than at current levels, which is practically nonexistent. Unfortunately, a fee reduction would not fully cover the cost of new parking construction. While it could certainly be expected to provide more parking funds than current levels, it could place the City in the position of being required to build new parking facilities before

it has adequate funds (once total payment for 100 spaces has been collected).

In order to address the problem of encouraging in-lieu fee participation while avoiding mandatory parking construction prior to collecting adequate funds, the following approach is suggested:

1. Allow multi-year in-lieu fee payment schedules; and
2. Initiate plans to use funds from both in-lieu fees and the VPD to assist the private sector in financing parking structure construction.

Potential Changes to Residential Parking Standards

The City's current residential parking requirement of 2 spaces per unit, plus guest parking of one space for single family dwellings and duplexes and one guest space for every two units in a multi-family development (rounded upward), represent typical standards based on the number of dwelling units. Given the City's lack of available street parking, it would not be advisable to reduce either single family or duplex parking requirements. As previously discussed, enforcing modern parking standards on older, substandard residential properties prevents occupants from utilizing their property for off-street parking, forcing them to park on already overcrowded streets. In order to provide relief to these legal nonconforming properties and minimize on-street parking impacts, special permits could be granted to allow overnight parking within the front and side yard setbacks or at designated off-site locations.

OBJECTIVES AND IMPLEMENTATION POLICIES

PRIMARY OBJECTIVE 1: Maximize the use of public and private parking vis-a-vis all commercial land uses. **E**

Implementation Objective 1.1: Allow private sector construction and operation of downtown public parking structures. **E**

Implementation Objective 1.2: Study all publicly owned properties for feasibility as potential parking structure sites, including but not limited to Lots A, B, C, and D, Civic Center lots, and the Community Center lot. **E**

PRIMARY OBJECTIVE 2: Allow shared parking arrangements for both existing commercial uses and future commercial developments. **E**

Implementation Objective 2.1: Prepare potential reduced parking requirement schedule for shared parking facilities. **E**

Implementation Objective 2.2: Assist commercial properties with potential for shared parking facilities. **E**

PRIMARY OBJECTIVE 3: Refine parking requirements. **E**

Implementation Objective 3.1: Allow more "intense" commercial uses to locate into substandard commercial properties previously occupied by uses exempt from parking regulations if the required parking spaces over and above the parking requirement for the previous use can be provided on a discretionary basis. E

Implementation Objective 3.2: Assist future "intensive" use applicants to identify potential methods of satisfying the parking requirement from land use intensification, including off-site shared parking and tandem parking. E

p/pkstudy

OPEN SPACE LAND USE DESIGNATION

OPEN SPACE LAND USE DESIGNATION

The current OS Open Space land use designation in the General Plan includes several types of public land uses not usually associated with the concept of "open space." These uses include general government facilities (Civic Center, Community Center), public educational facilities (Hermosa Valley School, Hermosa View School, and the vacated school sites), and public utilities (California Water Service Company facility). Government, school, and public utility land uses are typically designated as "Public" land uses in local general plans, although some communities designate public utilities as "Quasi-Public" to reflect the private ownership status of a publicly regulated service. An "Open Space" designation, which implies substantial restrictions on structural improvements, is commonly applied to active and passive park lands only.

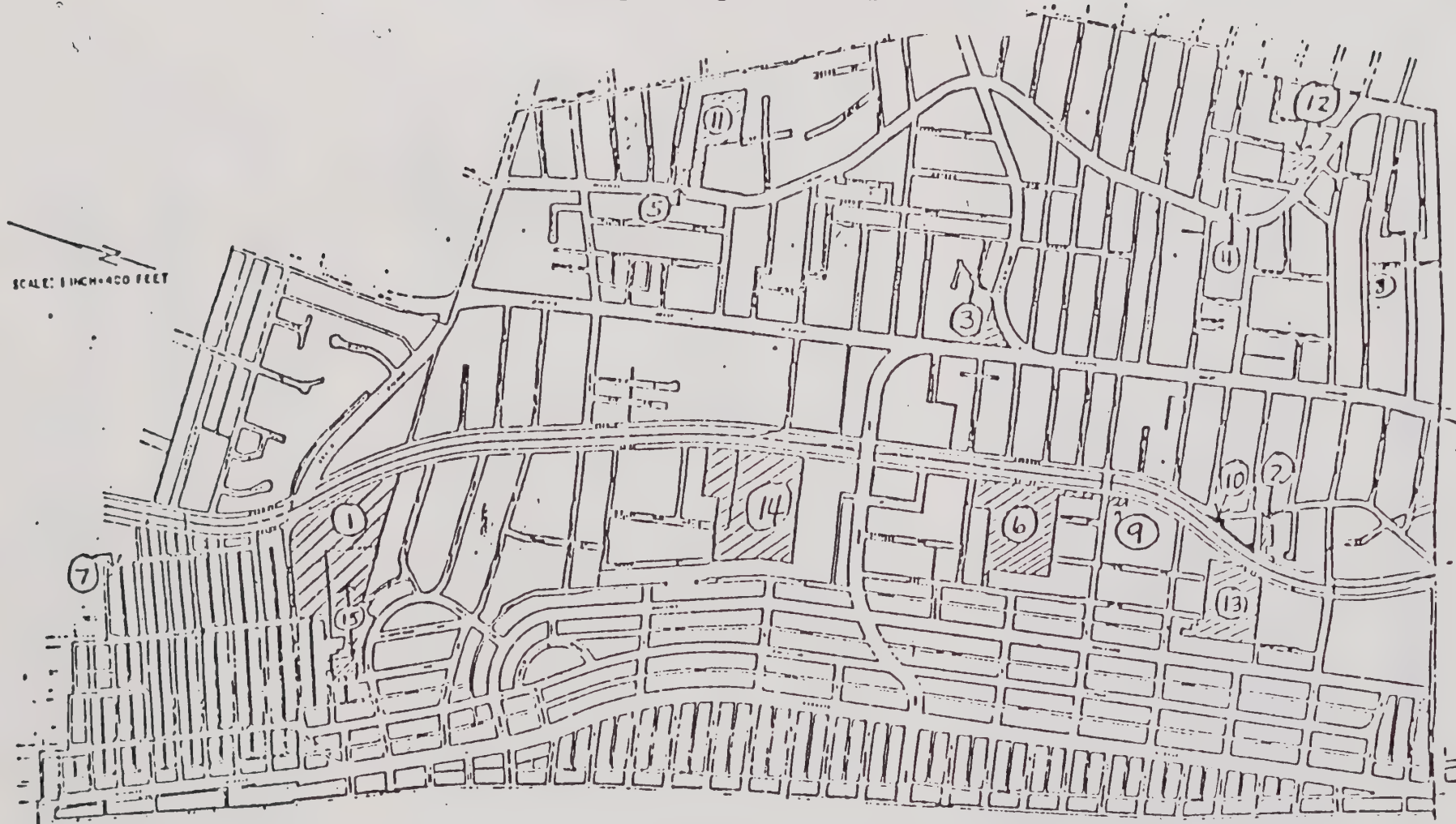
BACKGROUND

At the December 12, 1991 joint City Council/Planning Commission meeting, it was determined that potential amendments to the Open Space land use designation should be dealt with as part of the Land Use Element revision. The City Council, at their August 27, 1991 meeting, adopted a resolution of intent to "study possible amendments to the General Plan and Zoning Ordinance related to the allowable uses in the Open Space designated areas." This study was initiated due to concern that the existing Open Space permitted uses and development standards may not be consistent with previous voter initiatives on open space. On November 7, 1989, voters established the OS-1 Restricted Open Space designation for the greenbelt property. This initiative added specific text to the zoning ordinance to limit use of this open space to "non-building public improvements." On November 4, 1986, the people voted to "protect" certain areas designated Open Space in the General Plan by requiring that any future redesignations must be approved by a vote of the electorate. These protected open space properties, shown on Map 14, are as follows:

1. Valley Park (Gould Avenue & Valley Drive)
2. South park/Bicentennial (4th Street)
3. Greenwood Park (Aviation Boulevard & Pacific Coast Highway)
4. Fort Lots-of-Fun Park (6th Street)
5. Seaview Park (19th Street & Prospect Boulevard)
6. Clark Stadium Recreation Center (Valley Drive & 11th Street)
7. Ingleside Park (Ingleside Drive & 33rd Street)
8. Moondust Park (between Meyer Court & 2nd Street)
9. 8th Street & Valley Boulevard Park
10. Ardmore Avenue & 5th Street Park
11. Hermosa View School site

Map 14

Protected Open Space Properties



1. Valley Park
2. Bi-Centennial Park
3. Greenwood Park
4. Fort Lots-of-Fun Park
5. Seaview Park
6. Clark Stadium (field)
7. Ingleside Park
8. Hoondust Park

9. 8th Street and Valley Drive Park
10. Ardmore Avenue at 5th Street Park
11. Hermosa View School
12. Prospect Heights School
13. South School
14. Hermosa Valley School
15. North School

12. Prospect Heights School site
13. South School site
14. Hermosa Valley School site
15. North School site

The current Land Use Element does not provide any guidance on property development standards or restrictions. The Open Space Element of the General Plan focuses on enhancing and protecting the recreational and aesthetic attributes of the City's open spaces areas. Public (government, school) and quasi-public (utilities) are clearly not within the scope of the Open Space Element.

Section 9.5-1 of the zoning ordinance lists the permitted uses for the Open Space zone. This section states that "primary open space comprises public and private areas devoted to recreational, leisure, cultural and aesthetic purposes." The Open Space zone permitted use list includes the following uses not typically associated with open space areas: educational buildings and playgrounds; public utility structures and corridors; public governmental buildings; public malls and plazas; and transit uses. These uses could be considered inappropriate for an open space zone, since all involve the construction and uses of buildings/facilities that are not primarily devoted to recreational, leisure, cultural or aesthetic purposes.

The Open Space zone includes specific property development restrictions in terms of maximum lot coverage (10%), building height (25 feet), parking area (maximum 10% of lot area), and building setback (20 feet from all property lines). A strict interpretation of the Open Space zone development standards would prohibit the expansion or reconstruction of the existing government and educational facilities.

ANALYSIS

The current OS Open Space land use designation combines two completely different types of publicly owned lands: recreational/open space areas and institutional/public facility properties. In order to correct this deficiency, either of the following revisions to the Open Space designation could be initiated:

1. Establish a new PF Public Facilities land use designation for the following type of uses presently designated Open Space:
 - a. Educational buildings
 - b. Public utility structures and corridors
 - c. Public governmental buildings
 - d. Public malls and plazas
 - e. Transit uses
2. Create a new PF Public Facilities overlay district for the permitted Open Space uses listed above in option #1,

subject to its own separate development standards and restrictions.

The first option reflects the type of land use designations common to most municipalities. Creation of a new General Plan land use designation acknowledges that public institutions and utilities represent a separate land use classification which should be subject to its own development standards and restrictions.

Although the first option would appear to be the logical solution to this issue, the 1986 voter initiative complicates this issue. The City's school properties are included in the inventory of "protected" Open Space properties that may not be redesignated without voter approval. For example, the Hermosa Valley School building could not undergo expansion or reconstruction under the Open Space zoning regulations, and may not have a General Plan amendment and rezoning in accordance with standard City procedures. Therefore, a Public Facilities designation that includes public school properties would require a special ballot measure.

The second option addresses this constraint by leaving all Open Space designated properties in this land use category as shown in the General Plan map, and then adding a new Public Facilities overlay for the public land use properties listed in option #1. This would provide the opportunity to formulate special development standards for each type of land use in the Public Facilities overlay, as appropriate, while still retaining the Open Space designation. This option addresses the fact that simply including public institutional uses in an Open Space designation is not by itself problematic; rather, it is the restrictive zoning standards applicable to the Open Space designation that is really at the heart of this issue. For example, keeping the Civic Center in the Open Space designation is only a problem in that the zoning standards clearly makes City Hall a nonconforming use that cannot be rebuilt or expanded under current Open Space zoning standards. Creating new development standards for the various public institutional uses is therefore necessary to allow for public buildings and facilities of adequate functional proportions. While both options could accomplish this objective, only option #2 could be implemented without the cost and potential controversy of a ballot measure.

As a side issue, there are still a few properties adjacent to Open Space properties that are zoned Unclassified. An "unclassified" zone is essentially a non-zone, meaning that the property is waiting to be zoned. All properties zoned Unclassified should receive a new zoning designation immediately. Since these properties consist of the portions of school properties with buildings, these areas should be designated Public Facilities overlay.

OBJECTIVES AND IMPLEMENTATION POLICIES

PRIMARY OBJECTIVE 1: Create a special Public Facilities overlay district for all properties presently designated Open Space or Unclassified that contain educational buildings, public utility structures and corridors, public governmental buildings, public malls and plazas, and transit uses. S

Implementation Objective 1.1: Prepare zoning text for Public Facilities overlay district, which allows for adequate building height and mass, e.g. C-3 standards, and revise General Plan map and zoning map to include overlay district boundaries. S

PRIMARY OBJECTIVE 2: Revise zoning text to identify only those types of uses which typically are found in Open Space zones. Examples of these uses are as follows: S

1. Aquatic sports facilities
2. Historic monuments
3. Parks
4. Picnic facilities
5. Playgrounds and children's recreational equipment
6. Recreational facilities and ancillary uses (indoor and outdoor)
7. Special events and group events authorized pursuant to Sections 22-1 and 22-5 of the Municipal Code
8. Spectator seating
9. Sports fields and courts
10. Trails for walking, jogging, bicycling and/or skating

p/osdes

**USES OF PUBLIC RIGHTS-OF-WAY
FOR PRIVATE PURPOSES**

USES OF PUBLIC RIGHTS-OF-WAY FOR PRIVATE PURPOSES

I. GENERAL DISCUSSION

Public rights-of-way are the various publicly-owned improvements that are intended for the use and/or benefit of the general public. Examples of public rights-of-way for public use include sidewalks, streets, alleys, and curbs. This is similar to the Uniform Building Code definition of "public way," which is "any street, alley or similar parcel of land essentially unobstructed from the ground to the sky which is deeded, dedicated or otherwise permanently appropriated to the public for public use and having a clear width of not less than 10 feet."

Section 29-31 of the Hermosa Beach Municipal Code defines encroachment as "any obstruction, tower, pole, pole line, pipe, wire, cable, conduit, wall, fence, balcony, deck, stand or building, or any structure or object of any kind or character which is placed in, along, under, over or across public right-of-way." The City currently requires every person to obtain an encroachment permit from the Public Works Department before making or causing to be made any encroachment in a public right-of-way. Hermosa Beach Municipal Code Section 29-38 sets forth the general conditions of approval for both continuing and temporary encroachment permits (no permanent encroachments are permitted in the City), and also the conditions for pedestrian walkstreet and vehicular street encroachments. Approval of encroachments which deviate from the established guidelines can only be granted with City Council approval in an appeal process. Approvals of all commercial encroachments shall be done in conjunction with the conditional use permit process. A stop-work order shall be issued for any work done without an encroachment permit where such permit is required.

Encroachments on public rights-of-way can involve private uses by either local residents, visitors, or local business establishments. For Hermosa Beach, the most common example would be the overnight parking of cars on streets that do not provide legal on-street parking spaces, such as the walkstreet rights-of-way adjacent to Beach Drive. Front yard encroachments into the walkstreet rights-of-way is a prevalent condition in the City. Residential encroachments into public streets and alleys can involve various minor improvements such as landscaping, patio decks or barbeque equipment. A common type of commercial rights-of-way encroachment is restaurant outdoor dining areas on public sidewalks. Another type of commercial encroachment is the closure of a portion of 13th Street west of Hermosa Avenue to vehicle traffic every Friday from noon to 4 p.m. year-round (except the Friday after Thanksgiving) for an outdoor Farmer's Market.

There have also been instances of local businesses displaying their merchandise outdoors on public sidewalks. The outdoor

display of merchandise was the subject of a recent planning study (Text Amendment 90-6), which resulted in a determination by both the Planning Commission and City Council that the existing City rules prohibiting outdoor displays would not be changed.

It should be emphasized that while this is a planning issue for study and recommendations by the Planning Commission, regulating private encroachments on public rights-of-way is ultimately the implementation responsibility of the Public Works Department.

II. LOCATIONS OF EXISTING PRIVATE ENCROACHMENTS

Commercial Encroachments

Commercial activities that involve some type of encroachment onto a public right-of-way may be divided into two categories: activities that are controlled by the City through an encroachment permit; and activities that are occurring illegally without an encroachment permit. There are presently only three business establishments in the City with active encroachment permits on file with the Public Works Department: (1) Fat Face Fenner's Falloon, 837 Hermosa Avenue; (2) Good Stuff, 1286 Strand; and (3) Martha's 22nd Street Grill, 23 22nd Street. These encroachment permits are all for outdoor dining areas on sidewalk rights-of-way.

Business activities that encroach onto a public right-of-way without an encroachment permit typically involve either outdoor advertising displays or outdoor dining areas. Outdoor displays may occur sporadically, such as a sidewalk sign announcing a temporary sale. There are instances of occasional outdoor displays that occur on a more or less regular basis, such as the outdoor mannequin and table and chairs display in front of the High-Five women's apparel boutique at 1138 Hermosa Avenue. Since the High-Five display is in a private building walkway area rather than a public sidewalk, this would be a violation of the City's prohibition on outdoor displays rather than an illegal right-of-way encroachment. A notable example of an outdoor sidewalk dining area without an encroachment permit is Rinaldi's West at 118 Pier Avenue. Some establishments, such as Java Man at 157 Pier Avenue, have an outdoor dining area within their private property line. In these instances, outdoor dining encroachment into the public right-of-way is more likely due to the unintentional placement of tables or chairs beyond the property line rather than a conscious attempt to encroach on public property. The Chamber of Commerce sponsored Farmer's Market closure of 13th Street west of Hermosa Avenue is supported by the City, but is not controlled through the encroachment permit process.

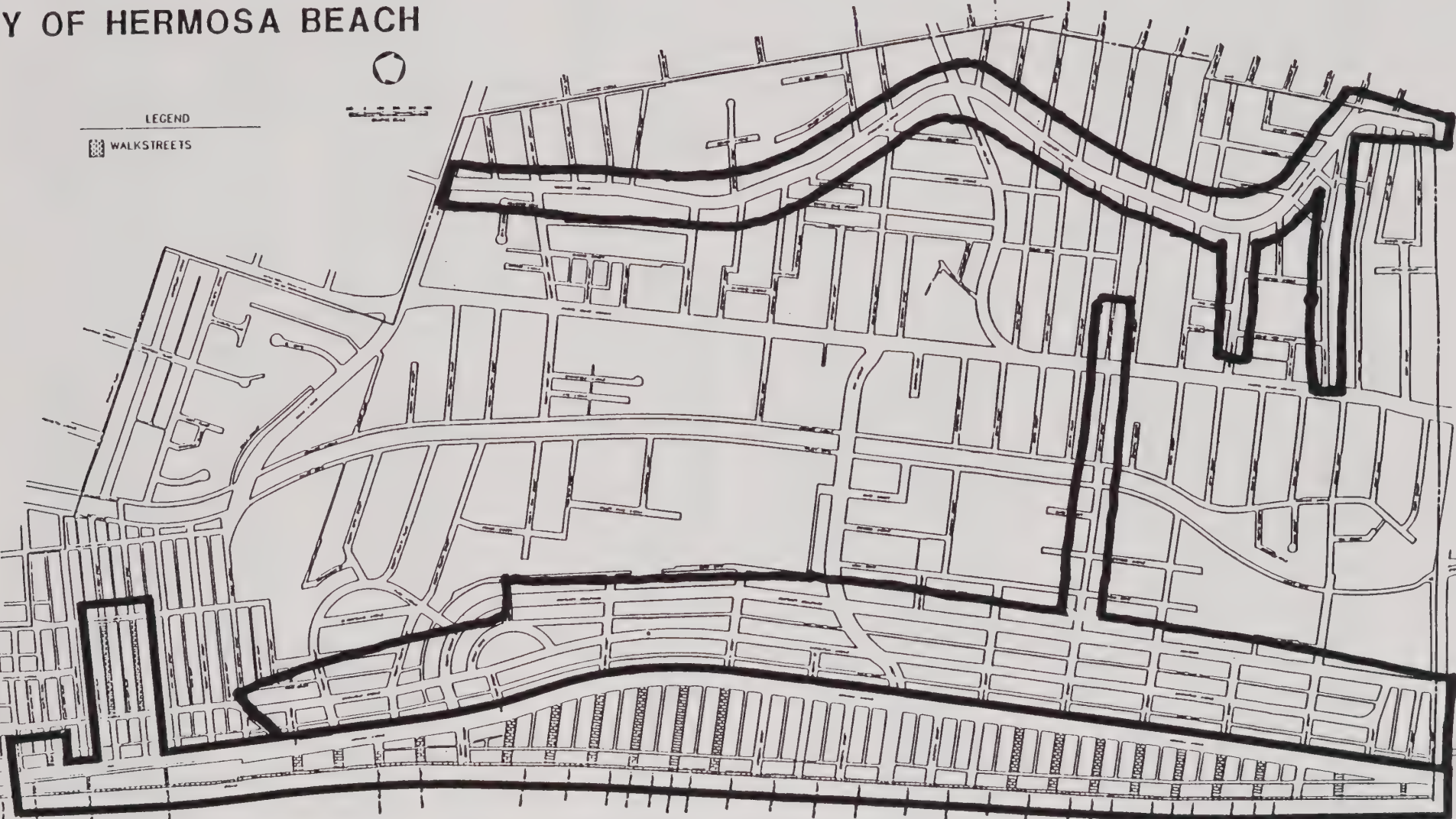
Residential Encroachments

Encroachments on public rights-of-way by local residents predominately consists of using walkstreet rights-of-way as front yards and/or parking areas (See Map 15). The most publicized location of parking has been along the walkstreet rights-of-way

Map 15
Private Uses of Public Right-of-Ways
Study Area

CITY OF HERMOSA BEACH

LEGEND
WALKSTREETS



AREA UNDER STUDY

between Hermosa Avenue and the Strand adjacent to Beach Drive. Vehicle parking on these rights-of-way has been a controversial topic for several years, and as of yet is not resolved.

In order to permit residents to legally park on the walkstreet rights-of-way, the City could either: (1) vacate these right-of-ways while retaining the right to rededication if a future public need warrants returning this land to the City; or (2) issue temporary encroachment permits to residents. In order for encroachment permits to be issued, the City would need issuance for each permit for protection against liability claims for any accidents or injuries occurring on this City property.

Currently, the City permits parking on the pedestrian walkstreet right-of-way west of Beach Drive only, with the requirement that this private use be regulated by a temporary revocable encroachment permit and that parking fees be paid. This right-of-way parking encroachment also included the following recommended requirements:

1. The parking encroachment area would be limited to the 30 feet adjacent to the western edge of Beach Drive.
2. The parking would be separated from the walkstreet area by a minimum 3 foot high block wall.
3. Parking in this encroachment area should be side-by-side, with tandem parking prohibited due to open space and aesthetic concerns.
4. Access to this parking area would be from Beach Drive only, with no driving permitted on the walk area of the walkstreets.
5. A minimum of one-third of this encroachment area would be landscaped by the property owner.
6. A parking area separation would be required to be constructed by the property owner at the westerly edge of the parking area of such height that a vehicle could not be driven over or through the constructed separation.
7. Recreational vehicles such as R.V.s, boats and any other type of vehicle other than an automobile would not be allowed in the public area.

In July 1991, the City Council expanded the scope of the walkstreet parking study to include other streets within the City where there is a possibility of parking and other uses. Pursuant to this decision, City action on parking within the walkstreet rights-of-way was deferred pending completion of this expanded study.

In February 1992, the Public Works Department submitted to the City Council a completed field survey on the following streets characterized by illegal parking on the rights-of-way: Prospect Avenue, Monterey Boulevard, Manhattan Avenue. The results of this survey indicate that: (1) Prospect Avenue has 25 parcels where illegal parking occurs, with 32 illegally parked cars observed; (2) Monterey Boulevard has 43 parcels where illegal parking occurs, with 54 illegally parked cars observed; and (3) Manhattan Avenue has 18 parcels where illegal parking occurs, with 21 illegally parked cars observed. In addition to this information provided to the City Council, cars illegally parked on public rights-of-way have been observed on 3rd Street at the 800, 900, and 1000 blocks, on 5th Street at the 900 and 1000 blocks, and 8th Street on the 100, 200, 400, 500, 600, 800, 900 and 1000 blocks.

Vehicle encroachment on the street rights-of-way tend to differ in character from the walkstreet encroachments. Whereas the walkstreet rights-of-way is utilized for residential parking because of a lack of adequate parking facilities on the adjacent properties, the rights-of-way encroachments on other streets are typically a driveway running across this public area to a garage or other parking area located on privately owned property. While the driveway area on the public right-of-way could conceivably be used as a parking space, it is usually just an access route to the parking destination.

Other private uses of public rights-of-way includes various property improvements such as landscaping, patio decks, barbeque pits, bay windows, and so forth. These type of encroachments represent a convenience or luxury that could be removed by the City, if necessary, without causing any severe hardship to the property owner or resident.

III. POLICY OPTIONS

The unlawful obstruction of a public right-of-way is legally considered a public nuisance and, as such, may be abated by the City, regardless of whether the obstruction restricts the intended use of the right-of-way or the length of time an obstruction has existed. As outlined in a July 16, 1991 memo from the City Attorney to the City Council, there are three basic options available to the City regarding encroachments on public rights-of-way:

1. Strictly enforce regulations and remove all obstructions and private uses of any portion of a public right-of-way.
2. Grant temporary encroachment permits and control private uses through the terms of such permits.
3. Vacate those portions of the rights-of-way which are unnecessary for present or prospective use and control future private uses of this vacated land through zoning regulations.

There are pros and cons to all possible policy options. The following is a brief overview of the possible arguments for and against each of these courses of action.

Strict Enforcement - Pro and Con

Strict enforcement of prohibitions on rights-of-way encroachments would be consistent with the following General Plan goals and objectives:

Open Space Element Goal #1: To obtain and preserve open spaces within the City limits of Hermosa Beach, sufficient to provide for anticipated needs of both present and future residents.

Open Space Element Goal #4: To obtain, preserve, and enhance green areas, such as street landscape strips, mini-parks and parkways as being necessary to the health and well being of the community.

Circulation Element Objective #2: Protect the environment on local residential streets by minimizing the intrusion of vehicular traffic and parking into residential neighborhoods.

On the positive side, enforcement of existing prohibitions would provide equal treatment of all residents in the implementation of local parking and public encroachment regulations. The City would also be protected from liability in the event of accident or injury on public rights-of-way. Furthermore, the public rights-of-way would be open and available for any future use or improvement deemed to be in the public interest.

Unfortunately, enforcing rules that have gone unenforced for decades would present several practical problems. This action could significantly reduce the available stock of private parking spaces in a community that is already characterized by parking deficiencies. To the residents who use the walkstreet rights-of-way for parking, this is a perceived "right" that has been transferred from property owner to property owner for decades. In addition, a strict prohibition on commercial encroachments would prevent potentially innovative revenue-producing commercial uses of rights-of-way, such as outdoor dining areas that could attract more shoppers to the City and enhance local sales tax revenues.

Encroachment Permits - Pro and Con

Issuing temporary encroachment permits would be consistent with the following General Plan goals, objectives and policies:

Circulation Element Objective #3: Ensure an adequate supply of parking, both on-street and off-street, to meet the needs of both residents and commercial businesses.

Housing Element Policy #15: Parking shall be designed to maximize its usefulness and availability, particularly guest spaces.

Issuing temporary revocable encroachment permits to residents and business owners has several advantages. There would not be a reduction in existing parking spaces that would lead to adverse parking demands and increased traffic noise from residents searching for parking space, particularly at night. Local restaurants would be able to provide outdoor dining areas on public sidewalks, which would help promote the City's commercial districts and potentially increase sales tax revenues. The City would receive new encroachment permit fee revenues. The permits would protect the City from liability claims by requiring that each permit applicant enter into an insurance policy that holds the City harmless from liability claims. Finally, because the permits would be temporary and revocable, the City could reclaim use of a right-of-way at any future time the City determines such an action to be in the public interest. The City may also restrict the type of uses to be allowed under an encroachment permit as well as the amount of landscaping, insurance and other requirements to be imposed. In order to guarantee that the encroachments are considered temporary in nature, the City could review all permits on a two to five year basis.

The primary disadvantage with issuing encroachment permits involves the massive City administrative commitments. Every resident and business owner wishing to use a public right-of-way would need to apply for a separate permit with an individual insurance policy. It has previously been estimated that to extend the encroachment permit concept throughout the City would result in as many 1,000 individual permits. The encroachment permit fee would have to fully cover all staff administrative costs, including processing and inspections, in order to make this policy option feasible.

Vacation - Pro and Con

This option, which would turn the rights-of-way over to private property owners, would be consistent with the same General Plan goals, objectives and policies as the encroachment permit option since it would also retain existing parking.

Vacating certain public rights-of-way to adjacent property owners would eliminate the formidable administrative commitments associated with the encroachment permit option. The City could benefit financially from this option since it would no longer have any right-of-way maintenance responsibilities and would receive additional property tax revenues from the reassessment of this newly converted private property.

Disadvantages with the conversion of public rights-of-way to private property primarily involve the lost opportunity to use this land for public purposes and the loss of potential public open space. There is also the potential for private interests to develop such properties for uses inconsistent with public policy,

e.g. bootleg units, structural bulk impacts. However, the concern about potential future public uses and increased density can be remedied by the nature of the vacation. For example, the vacation could include covenants that prohibit increased bulk and density, require development consistent with the applicable zoning regulations, preserve utility easements, and require rededication if a prospective public need is determined. Adjacent property owners may object to being granting public lands, since this would trigger a County reassessment and result in higher property taxes. The City would also face an up-front financial obligation in the vacation procedures through title searches, deed recordations, easement reservations, and so on.

IV. POLICIES IN NEARBY COMMUNITIES

Manhattan Beach

The City of Manhattan Beach has experienced similar problems with walkstreet encroachments from parked vehicles. In 1970, the City received a recommendation from its Walk Street Study Committee to vacate the walkstreet rights-of-way and transfer ownership to the abutting property owners. This approach was opposed by the adjacent property owners, however, due to the resultant reassessment and increased property taxes that would ensue from this transfer. Manhattan Beach instead opted to establishing an encroachment permit process. In order to avoid an avalanche of permit applications when this process started, Manhattan Beach essentially grandfathered existing encroachments and merely required that the property owner include the City as an additional insured party (minimum \$250,000) against any liability claims. A permit would only be required for the grandfathered encroachment in the event of an expansion or improvement to the encroachment; resale of the property would not alter the grandfathered status.

The fee for an encroachment permit application is \$74, with a \$36 fee for a permit transfer and \$104 charge for a permit appeal. Manhattan Beach has a number of general guidelines regarding the encroachment permit process. Structures, as defined in the Uniform Building Code, are prohibited from encroaching within a public right-of-way, with the exception of fences, walls, and decks. Landscaping is permitted in accordance with an approved landscape plan; however, artificial landscape materials are prohibited. Utility and visual obstructions are to be avoided so as to maintain access to underground utilities and to protect vistas from neighboring properties. Steps and stairways are prohibited in the public rights-of-way.

Manhattan Beach also has a number of specific guidelines for walkstreet encroachment permits, which are very similar to the Hermosa Beach regulations under Municipal Code Section 29-38(2). However, there are some minor differences mainly regarding heights of walls and fences.

Torrance

The City of Torrance has an encroachment permit process that uses an Encroachment Committee, made up of City department heads, to review and approve minor encroachment permit applications. Major encroachments, defined as any use or structure encroaching more than one foot into a public right-of-way, goes to the City Council rather than the Encroachment Committee for review and approval. There is no fee for encroachment permit applications for rights-of-way located in the downtown district.

Redondo Beach

There is no formal procedure for addressing private encroachments on public rights-of-way in Redondo Beach. According to the Engineering Department, which is responsible for right-of-way maintenance, temporary structures such as construction trailers are permitted to encroach on public rights-of-way for a limited period of time, usually a couple of months, specified in a letter from the Engineering Department to the applicable party. Vehicles parked on a right-of-way are typically just given verbal notification that such vehicle may be subject to removal if deemed necessary.

V. CONCLUSIONS

The City Attorney, in a July 16, 1991 memo to the City Council, stated that if a determination is made that the adjacent property owners have, over a period of time, obtained a permanent encroachment on "ethical or moral grounds," then the City must conclude that those lands are unnecessary for present or prospective public uses, and as such, must vacate the property. The difficulty with this approach is that "ethical and moral grounds" are highly subjective and it is not always possible to make determinations on future prospective public uses and needs.

It should be emphasized that while vacation may be an appropriate option for some rights-of-way, it would probably not be desirable or even feasible in all cases. As previously mentioned, Manhattan Beach found that vacation was not even desirable to adjacent property owners due to the threat of increased property taxes. More importantly from a legal standpoint, vacation means that the City would forego the opportunity to utilize a right-of-way for a future public need, e.g. open space, capital improvements. While the walkstreet rights-of-way may not be used for any present public purposes, there could be a future determination of public need that could not be fulfilled if a vacation occurs. In a more obvious example, the City should not vacate a sidewalk just because a local restaurant wishes to set up tables and chairs for an outdoor dining area on a portion of such sidewalk. This point is worth consideration since the final R/UDAT study recommended increasing the sidewalk right-of-way along Pier Avenue west of Hermosa Avenue to encourage uses such as outdoor dining areas. In this case, vacation would not be in the public interest since sidewalk areas, which are intended for public access, should not be converted to private property.

An encroachment permit process has the advantages of allowing adjacent property owners to utilize public property while keeping the rights-of-way in the public domain and affording the City the opportunity to control the various uses and improvements of such public lands. The main disadvantage with a permit program is simply the administrative commitment involved in processing applications and enforcing permit regulations. However, this drawback could be minimized by taking an approach similar to that of Manhattan Beach. If the existing encroachment does not impede City action toward an acknowledged public purpose, then it could simply be grandfathered with an insurance requirement to protect the City from liability suits, with a permit required only in the event of an expansion or improvement to the encroachment. Then if at a future time the City determines that the right-of-way is necessary for a prospective public use, the encroachment could be prohibited or appropriately restricted through the encroachment permit process. Only future encroachments would automatically be required to obtain an encroachment permit. Alternatively, all encroachments, both existing and future, could be required to obtain a permit with an annual fee that would adequately cover all anticipated City administrative costs.

VI. GOALS, OBJECTIVE AND IMPLEMENTATION POLICIES

GOAL 1: To evaluate all city right-of-ways to determine whether or not there is any future public use and which right-of-ways could possibly be controlled by the encroachment process or vacated to decrease visual blight. N/C

Objective 1.1: Evaluate what right-of-ways could be controlled through the zoning ordinance which would trigger vacation. N/C

Objective 1.2: Examine what new zoning ordinances would be necessary for application toward these right-of-ways. N/C

Objective 1.3: A cost / benefit analysis needs to be made to determine what encroachment permit process is the optimum solution for private use of the public right-of-way areas for which the City has determined future need. E

Objective 1.4: Prior to either using the vacation method, or the encroachment permit process for unused public right-of-way areas, a thorough examination of the method of implementation, i.e., enforcement procedure, shall be made to determine the most effective procedure, and shall be made a criterion in deciding which method should be used.

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PROPERTY MAINTENANCE

PROPERTY MAINTENANCE

Local government regulations to ensure a minimum level of private property upkeep and maintenance are generally recognized as a proper exercise of police power to protect the public health, safety and welfare. Substandard property maintenance is a blighting influence that can substantially reduce the aesthetic and economic value of surrounding properties. The aesthetic concerns used as a justification for property maintenance standards have been upheld by the U.S. Supreme Court in Members of City Council v. Taxpayers for Vincent (1984). Various instances of overgrown vegetation and/or garbage accumulation can also result in dangerous situations such as impaired street intersection visibility, fire hazards, and unsanitary conditions.

CURRENT LOCAL CONDITIONS

The most common residential property maintenance problems in the City consist of weathered exterior facades, sagging roof extensions, overgrown lawns, and discarded yard debris. These types of maintenance problems are usually not severe in terms of structural safety, requiring little more than new paint on exterior walls or replacement of water damaged wooden improvements, e.g. porches. However, there have been instances reported to the City of property neglect that is capable of endangering the health and safety of occupants, e.g. deteriorated wooden balconies, or nearby residents, e.g. rodent infestation.

Nonresidential problems are typically minor deferred maintenance issues involving exterior wall deficiencies such as weathered facades. More serious occurrences could involve such health and safety hazards as faulty electrical wiring.

CURRENT CITY STANDARDS

The only specific property maintenance regulations for the City are included within Chapter 20, Nuisances, of the Hermosa Beach Municipal Code. Part of this code identifies various nuisances that affect public health, which specifically describes property maintenance issues such as unhealthy occupancy or uses, and actions damaging the use or enjoyment of property.

Other property maintenance regulations enforced by the City are the State Building Code structural and use standards. Municipal Code Article II, Housing Code, incorporates the State occupancy and use standards from the "Uniform Housing Code," while Municipal Code Article III, Abatement of Dangerous Buildings, incorporates State law related to substandard structural conditions from the "Uniform Code for the Abatement of Dangerous Buildings."

Municipal Code Section 20-5 outlines the City's abatement procedures for public nuisances. This Section states that unless

the nuisance is of such a nature that summary abatement is necessary for protection of the public health, safety and general welfare, an abatement notice shall be issued to the person or entity responsible for abating or eliminating such nuisance (the sample abatement form is shown on p. 285-6 of the Municipal Code). If the nuisance has not been adequately abated or eliminated within the time period specified in the abatement notice, the City Council may order the necessary work to be completed by City staff, with the cost of such work constituting a lien against the property on which the nuisance is located. The City Attorney is then authorized to file with the County Recorder a lien claim on behalf of the City, subject to the same collection procedures as mortgage foreclosures under State law.

TYPES OF PROPERTY MAINTENANCE ISSUES

Many communities provide a specific list of prohibited property maintenance conditions. The following list represents an aggregate range of deficient property maintenance conditions from the various nearby communities surveyed by staff:

1. Buildings which are abandoned, boarded up, partially destroyed, or partially constructed or uncompleted after building permits have expired;
2. Buildings with deteriorated or peeling paint that allows for exterior building cover deterioration such as dry rot, warping, or termite infestation;
3. Broken windows, doors, attic vents and underfloor vents;
4. Overgrown vegetation causing detriment to neighboring properties or property values;
5. Dead, dying or diseased trees, weeds and other vegetation: (a) constituting an unsightly appearance; (b) dangerous to the public safety and welfare; or (c) detrimental to nearby property or property values;
6. Trailers, campers, boats and other mobile equipment stored for unreasonable periods in front or side yards visible from a public alley, street or adjoining premises;
7. Inoperable or abandoned motor vehicles or motor vehicle parts stored in front or side yards visible from a public alley, street or adjoining premises;
8. Trash, garbage or refuse cans, bins, boxes or other such containers stored in front or side yards visible from a public alley, street or adjoining premises;
9. Abandoned, discarded or unused furniture, stoves, sinks, toilets, cabinets or other household fixtures or equipment stored so as to be visible at ground level from a public alley, street or adjoining premises;

10. Lumber, garbage, debris, or salvage materials maintained upon any premises which is visible from a public alley, street or adjoining premises;
11. Clothes lines in front yard areas;
12. Attractive nuisances (those objects which, by their nature, may attract children or other curious individuals) including, but not limited to, unprotected and/or hazardous pools, ponds, ice boxes, refrigerators or excavations;
13. Accumulation of dirt, litter or debris in vestibules or doorways on the premises adjoining walkways or parkways;
14. Any intentional neglect of premises to spite neighbors, influence zoning changes, or cause a detrimental effect upon nearby property or property values;
15. Maintenance of premises in such condition as to be detrimental to the public health, safety or general welfare or in such manner as to constitute a public nuisance as defined by State Civil Code Section 3480;
16. Building exteriors which are maintained in such condition as to become so defective, unsightly, or in such condition of deterioration or disrepair that the same causes substantial diminution of the property values of surrounding property or is materially detrimental to proximal properties and improvements. This includes, but is not limited to: (a) unsightly and unnecessary markings, drawings, decorations and graffiti on exterior walls; (b) keeping or scattering abandoned, discarded, dilapidated or unused objects or equipment such as vehicles, furniture, stoves, refrigerators, freezers, cans or containers on the property; (c) keeping or scattering lumber, junk, trash or debris on the property; (d) excavations or stagnant water; or (e) any device, design, fence, structure, clothesline, or vegetation which is unsightly by reason of its condition or its inappropriate location;
17. Maintenance of premises so out of harmony or conformity with the maintenance standards of adjacent properties as to cause substantial diminution of the enjoyment, use, or property values of such adjacent properties; and
18. Property maintained so as to establish a prevalence of depreciated values, impaired investments, and social and economic maladjustments to such an extent that the capacity to pay taxes is reduced and the tax receipts from such particular area are inadequate for the cost of the public services rendered therein.

ABATEMENT PROCEDURES

Procedures to abate or eliminate the conditions outlined above vary among municipalities, but basically involve the following steps:

1. An abatement notice from the designated City official is sent to the responsible party (with a copy to the County Recorder), specifying the nature of the property maintenance violation, the time period granted to remedy the situation (typically 7-30 days, depending upon the severity of the offense), and the appeal process, if any. If no appeal is filed by the responsible party within the specified time period, the action of the designated City official shall be deemed final.
2. Upon request by the party responsible for the violation, the designated City official may grant an extension of time to complete the specified abatement if it is determined that such an extension would not create or perpetuate a situation of imminent danger to life or property.
3. The responsible party may appeal the abatement notice to the designated City agency/board. The decision of this appeal board shall be final.
4. If the responsible party fails to adequately complete the required abatement work within the specified time period, the City may authorize City staff or a private contractor to enter the premises to complete the abatement proceedings.
5. The City shall keep an account of all costs incurred by the City in performing the abatement work. These costs constitute a special assessment against the property, and upon recording a Notice of Lien with the County Recorder, shall constitute a lien on the property for the amount of the assessment.
6. If determined appropriate by the City Attorney, the City may also file a civil court action or a misdemeanor action to abate a property maintenance violation deemed to constitute a public nuisance.

While this procedure is relatively similar among municipalities, there are variations regarding the designated City official and appeal process. The City official charged with the responsibility for preparing and sending abatement notices could be the Building Department Director, e.g. Burbank, the Community Development Director, e.g. Inglewood, the Parks and Recreation Director, e.g. Alhambra, or the City Manager, e.g. Palos Verdes Estates. Alternatively, either the City Council or Building Official could issue the abatement notice, e.g. Arcadia, or the Planning Commission, e.g. Montebello, or City Council, e.g.

Norwalk, may conduct a public hearing to determine if abatement proceedings are appropriate.

The designated appeal board also varies among differing communities. While the City Council typically serves as the appeal board, e.g. Montebello, some communities have a specialized appeal board, such as the Building and Fire Code Appeals Board in Burbank. The City of Inglewood has a Construction Appeals Board to determine the existence of a public nuisance in the event that a property owner fails to comply with a violation notice, with the decision of this Board appealable to the City Council.

OBJECTIVES AND IMPLEMENTATION POLICIES

PRIMARY OBJECTIVE 1: Ensure that all properties in the City are adequately maintained in order to protect the public safety, health and welfare. **N/C**

Implementation Objective 1.1: Amend the Municipal Code to specifically list all types of property maintenance deficiencies and establish an abatement program. **E**

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DESIGN REVIEW

DESIGN REVIEW

The application of specific design standards to the plan review process can result in a higher aesthetic quality in future development. If the standards are clearly articulated and consistently applied, design review also allows for more predictability in the planning process for both applicants and local officials.

In order for design review to be effective, the intent of such a program should be well defined from the outset. The goals of a design review program could be to insure any or all of the following:

1. The location and physical configuration of all proposed structures will be visually harmonious with the project site and all surrounding sites and structures;
2. The project architectural design and structural features will be visually harmonious with surrounding structures;
3. The proposed landscaping will provide for visually pleasing settings for project site structures and surrounding structures;
4. The design and location of all proposed signs are consistent with the character and scale of the proposed structures and surrounding structures;
5. The proposed uses are suitable to the project site's environment; and
6. The economic value of the project site and surrounding properties are protected and/or enhanced.

Unfortunately, design review can also have some negative consequences. If the process is too lengthy or convoluted, it could inhibit future growth. If the design guidelines are too narrow in scope, it could result in monotonously similar architectural features. Design review guidelines should not rigidly control a project's architectural character to the extent that individual creativity is discouraged or substantial additional project expenses are incurred.

HISTORICAL CITY DESIGN STANDARDS

At present, the City does not have a Design Review Board. The previous City design review procedures required all applicants to submit, as necessary, all applicable site development plans, landscaping plans, and architectural drawings to the Building Department at least ten (10) days prior to the date set by the

Building Department for referral of such information to the Design Review Board. The Board then had 30 days to either approve or disapprove the project, with the reason(s) for any disapproval specified in writing.

Design Review Procedures

The City's Precise Development Plan (PDP) presently authorizes the Planning Commission to conduct generalized, nonspecified design reviews as part of its overall site plan review duties for projects requiring discretionary approvals. Alternatives to this approach could involve the creation of an independent Design Review Committee with separate membership, delegation of design review duties to an outside consultant to perform design reviews and provide recommendations to the Planning Commission.

DESIGN REVIEW PROCESS IN OTHER CITIES

Staff conducted a survey of various nearby communities regarding approaches to design review. The results of this survey indicate that most communities take either one of the following two approaches to the design review process: (1) no design board and no formal design review process; or (2) a formal Design Review Board made up of planning, architecture, and landscape architecture professions, usually appointed by the City Council. The communities that have a Design Review Board generally either have very general design criteria set forth in the Municipal Code, e.g. all design features shall be in proportion to building site with a balance and unity among external features so as to present a harmonious appearance (Downey), or have specific design standards for exterior features that are clearly described in a design guidelines handbook. The following is a summary of the design review process from various surveyed communities.

Manhattan Beach - no official design review policies or procedures, performed as part of the plan review process for discretionary approvals.

Redondo Beach - no official design review policies or procedures, performed as part of the plan review process for discretionary approvals.

Torrance - no official design review policies or procedures, performed as part of the plan review process for discretionary approvals.

Santa Monica - Architectural Review Board (ARB), totaling seven members appointed by the City Council. At least two members must be professional architects. The ARB is responsible for reviewing all building and sign applications. The goals and objectives for urban characteristics, neighborhood/street relationships, building aesthetics, and environmental quality for each type of land use are delineated in the Architectural Review Design Guidelines handbook.

Lakewood - Development Review Board (DRB), consisting of three members appointed by the City Council: the Director of Community Development, a registered A.I.A. architect or the equivalent, and a qualified landscape architect or the equivalent. Applications for Development Review Board approval be filed with the Building Official with each application for a building permit. Board decisions are based on general criteria listed in the Municipal Code and specific development standards in DRB Handbooks.

Laguna Beach - Design Review Board, consisting of five members and one alternate appointed by the City Council for a period of two years. Design considerations are based on the general goals set forth in the Design Review Process Handbook.

Downey - Design Review Board, composed of the following six members appointed by the City Council for a period of four years: (1) one licensed architect; (2) one licensed landscape architect or licensed landscape contractor or a person with equivalent experience or qualifications; (3) one registered civil engineer with a background in building design; (4) one general building contractor; (5) one citizen-at-large; and (6) one owner of a retail/commercial business. The City Council may designate certain members of the Design Review Board to act as the Board of Building Appeals. Applications for design review are submitted to the Planning Division. The decisions of the Design Review Board are based on the general factors described in the Municipal Code.

Pasadena - Design Commission, totaling eight members, with five members nominated from the City Council, one member nominated from the Community Development Committee, one member nominated from the Cultural Heritage Commission, and one member nominated from the Planning Commission. Members are appointed for a three year term and may not serve more than two consecutive terms. Members must have professional expertise and experience in one or more the following fields: architecture, landscape architecture, city planning, and historic preservation. The design criteria is discussed in general terms in the Municipal Code. The Old Pasadena historic district, however, has a separate design guidelines handbook.

CONCLUSIONS

While some communities may try to promote/encourage a unified architectural design theme for a particular residential neighborhood or commercial district, e.g. Old Town in Pasadena, the lack of any dominant architectural style in Hermosa Beach makes a unified design theme approach impractical. Since the City's development character does not lend itself to advocacy of a unified architectural design theme, design guidelines should be general in nature, e.g. scale and massing relationship with surroundings, rather than specific recommended design elements, e.g. list of permitted and prohibited architectural ornamentation. Given the diversity of exterior design features throughout the City, it would be more appropriate to judge the aesthetic qualities of an individual development in relation to

the character of the surrounding area, e.g. height, bulk, facade materials, etc.

In regard to the design review process, this is presently done on an informal basis by the Planning Commission. The creation of a local design review board may not be appropriate, since hard-and-fast specific design standards are not compatible with the architectural diversity of this community. Adding another layer of government through a special design review board would essentially be a duplication of the Planning Commission's general plan review responsibilities. Likewise, retaining an outside consultant to perform design review and present recommendations to the Planning Commission would involve a cost, that could be passed on to the applicant, but in any case would have to be paid eventually.

Since appropriate design characteristics are dependent on the individual characteristics of a project and its surroundings, and given that design review is already incorporated into the Planning Commission's site plan review process, the practical approach for the City may be to continue the current practice of conducting general design reviews by the Planning Commission within certain specified parameters.

OBJECTIVES AND IMPLEMENTATION POLICIES

GOAL 1: The Downtown Business Area Enhancement Commission should review all major development plans prior to discretionary approval or implementation when a proposed project is located within their jurisdictional boundaries. E

Primary Objective 1: Provide the Downtown Business Area Enhancement Commission with all applicable information as it pertains to the downtown without increasing the permit processing time. E

PRIMARY OBJECTIVE 2: Incorporate design review into the regular site plan review procedures of the Planning Commission for Specific Plan Area (S.P.A.) zones, excluding single family residential, and major Capital Improvement Projects (C.I.P). E

Implementation Objective 2.1: Establish general guidelines for Planning Commission design review. Guidelines should be based on compatibility with surrounding properties to present a harmonious appearance. Planning Commission prohibitions on specific architectural features which are compatible with the surrounding area for reasons solely due to matters of personal taste are considered beyond the scope of the Planning Commission's duties. E

Examples of general guidelines for design review are as follows:

1. The height, bulk, and other design features of all structures should be in proportion to the building site

with a balance and unity among external features so as to present a harmonious appearance.

2. The site layout, orientation, and location of structures and their relationship to one another and to open spaces, parking areas, pedestrian walks, signs, illumination, and landscaping should be interrelated and arranged as to achieve a safe, efficient, and harmonious development.
3. Each building shall reflect due consideration of a total design concept which shall be an integral part of the design treatment and architectural detail accomplished in a professional manner consistent with good design practices.
4. The grading and development should be accomplished with due regard for the qualities of the natural terrain and landscape; trees, shrubs, and other natural features should not be indiscriminately destroyed.
5. The design, size, lighting, placement, and character of signs should be appropriately related to the structures and grounds, and be in harmony with the general development of the site and the surrounding neighborhood.

p/design

HISTORIC PRESERVATION

HISTORIC PRESERVATION

Historic preservation can be a valuable planning tool for identifying and protecting significant community resources. Knowledge of a community's past helps in understanding emerging patterns and future expectations. In fully developed communities such as Hermosa Beach, preservation planning may be the most realistic approach to reviving or maintaining the viability of the city. A greater knowledge of local cultural resources provides a stronger base for better planning and more informed decision-making.

The preservation of historic and cultural resources can have many social and economic benefits. Familiar structures and landmarks help establish a sense of permanence and community pride among local residents and property owners. These resources provide both educational and aesthetic contributions to the local character. The economic benefits of historic preservation include the potential for increased property values, greater retail sales volumes, enhanced commercial rents, and greater tax revenues.

Policy #2 of the City's Urban Design Element to the General Plan states that the City should "encourage private preservation of buildings which have historic and/or architectural merit." The specific Urban Design Element programs directly related to this City Policy are as follows:

Program 5: Develop incentives for the retention and rehabilitation of houses with architectural or historic merit in all zones.

Program 6: Allow nonconforming uses for buildings of architectural or historic merit for the life of the building.

Program 7: Encourage and assist owners of buildings of architectural or historic merit in applying for tax relief under State programs which began in 1977.

Program 8: Develop a alternative building code for historic houses.

Program 9: Encourage the rehabilitation of historic buildings by providing for the preservation of the building facade when it is not economically feasible to retain the whole building.

FEDERAL AND STATE LAW

The preservation of historic and cultural resources has been a part of national policy throughout this century with the passage of the Antiquities Act of 1906, the Historic Sites Act of 1935, and the National Historic Preservation Act of 1966. The

constitutionality of historic preservation has been affirmed by the Supreme Court in Penn Central Transportation Co. v. New York City (1978).

The National Historic Preservation Act of 1966 directed the federal government to to assist local governments in expanding and accelerating local historic preservation programs and activities. This Act provided for the establishment of a historic preservation agency in each state. The California Office of Historic Preservation (OHP), headed by a State Historic Preservation Officer, is responsible for administering preservation programs set up by federal and state law. California is also served by the State Historical Resources Commission, a citizens group appointed by the Governor.

REGISTRATION OF HISTORIC PROPERTIES AND SITES

Local governments may conduct surveys of local historic resources either on their own or with the assistance of OHP staff. The survey results then go into the statewide inventory and becomes part of a computerized database. Once a local historic resource has been identified, it may be nominated for placement on the federal or state lists. OHP staff reviews nominations to the National Register of Historic Places, and then submits the nominations to the State Historic Resources Commission. If approved, the nominations are sent to the Keeper of the National Register for acceptance. OHP also administers two state registration programs: (1) State Historic Landmarks, which are properties of statewide significance; and (2) Points of Historic Interest, which are properties or sites of local significance.

OHP is responsible for the administration of two federal certification programs that offer differing benefits to local communities : (1) Certified Local Ordinance; and (2) Certified Local Government.

Certified Local Ordinance

A local government may apply for Certified Local Ordinance status when it has adopted an ordinance that establishes a historic preservation commission which is responsible for the identification of historic properties/sites and for at least the review and comment on proposed projects affecting significant historic properties. The historic preservation commission may designate local historic districts that qualify for Certified Local District status if such districts meet the national Register of Historic Places criteria.

Property owners are eligible for federal 20% investment tax credits for the costs of rehabilitation work on income-producing historic structures located within Certified Local Districts. In addition, this certification program provides eligibility for a charitable contribution tax deduction to owners of historic properties, including private residences, for donating conservation easements for historic preservation purposes.

Although there is no one standardized format for a historic preservation ordinance, the American Planning Association (APA) recommends that the ordinance contain the following ten components:

1. Purpose of the ordinance;
2. Creation of a historic preservation commission;
3. Powers and authority of the historic preservation commission;
4. Criteria for designation of historic landmarks and/or historic districts;
5. Procedures for nomination and designation of landmarks;
6. Types of actions that are reviewable by the historic preservation commission, e.g. alteration, construction, demolition, removal;
7. General criteria and specific guidelines for reviewable actions;
8. Criteria for economic hardship certification;
9. Appeal procedures for commission actions; and
10. Fines and penalties for violation of ordinance provisions.

Certified Local Government

Adoption of the above-described ordinance is also necessary to receive state certification as a Certified Local Government (CLG), which is based on the 1980 amendments to the National Historic Preservation Act of 1966. A CLG designation enables local governments to compete for federal Historic Preservation Fund (HPF) monies, which is administered in California by OHP. At least ten percent of California's annual HPF allocation is transferred to CLGs for historic preservation activities. All CLGs are eligible to receive funds from the state CLG share of the annual HPF grant award, but the state is not required to award funds to all eligible CLGs. These funds are awarded on a competitive basis, with the intent to distribute these funds to as many eligible CLGS as possible, based on the following priorities and criteria:

1. The CLG demonstrates a clear understanding of the state and local historic preservation programs contributing toward the identification, evaluation, and protection of significant cultural resources within the jurisdiction of the local government;
2. The CLG provides adequate matching local share (50%) for the federal grant-in-aid.

3. A CLG requesting an expanded level of state participation receives a higher priority in the selection process; and
4. The CLG presents realistic goals that are attainable within the funding period.

In addition to HPF allocations, CLGs may receive technical assistance and training from OHP. CLGs also become part of a national technical assistance network.

Local governments, e.g. cities, may submit applications for certification into the CLG program in writing from the chief elected local official, e.g. mayor. The state shall respond to the local government request within 45 days of receiving the application. A committee of OHP staff members shall review the certification applications to determine the local government's ability to meet state requirements at either one of two levels of participation: (1) threshold level of participation; or (2) expanded level of participation. When a local government's certification request has been approved in accordance with the state's approved certification process, the state shall prepare a written certification agreement for presentation to the local government.

Local governments may be certified to participate in the CLG program at the threshold level of participation by complying with the following requirements:

1. Enforce appropriate state or local legislation for the designation and protection of historic properties;
2. Establish an adequate and qualified historic preservation review commission;
3. Maintain a system for the survey and inventory of historic properties;
4. Provide for adequate public participation in the local historic preservation program; and
5. Satisfactorily perform the responsibilities delegated to the CLG by the state.

In addition, local governments may be certified to participate in the CLG program at the expanded level of participation by fulfilling selected elements of the following requirements:

1. The CLG shall adopt a historic preservation ordinance containing the following: (1) a declaration of policy clearly reciting the reasons for enacting the ordinance and specifically containing a general welfare clause illustrating that historic preservation is in the public interest; (2) authorization for the creation of a historic preservation commission, with specific provisions for the powers and duties of the commission;

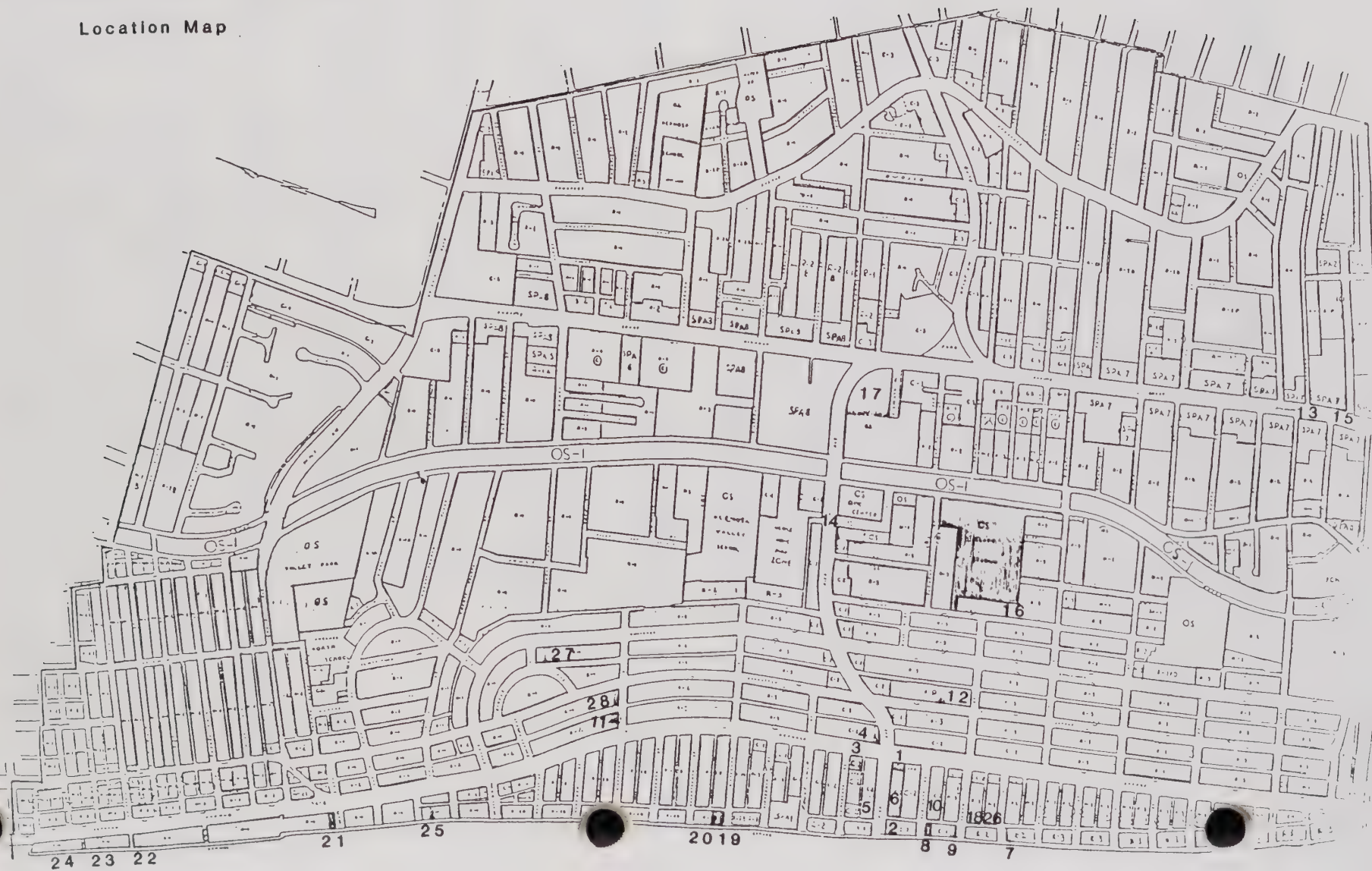
- (3) historic survey and registration provisions for compiling, updating and maintaining an inventory of local historic resources; (4) strict criminal and civic penalty provisions to ensure enforcement capability and credibility; and (5) precise operational definitions for such terms as preservation commission, historic districts, eligibility criteria, alteration and improvement standards, demolition stays, and other preservation terminology;
2. The CLG may adopt a historic preservation element for its General Plan and establish procedures for implementation of the element;
 3. The CLG shall participate in the environmental review of local projects, and the commission may review and comment on permit actions affecting significant listed historic properties and other resources eligible for listing in accordance with local ordinance requirements and the California Environmental Quality Act.
 4. The CLG may participate in the review and comment on historic preservation certification applications for tax incentives;
 5. The CLG may develop educational programs promoting historic preservation at the local level;
 6. Commission members may act in an advisory capacity to other officials and departments within the local government and act as a liaison on behalf of the CLG to individuals and organizations;
 7. The CLG may participate in the Mills Act property-tax relief program for owners of historic properties; and
 8. The CLG may participate in the Marks Historical Rehabilitation Act for issuance of tax-exempt industrial development bonds, providing that the commission shall serve as all or part of the required citizen advisory board.

POTENTIAL CANDIDATES FOR HISTORIC RESOURCE DESIGNATION

Based on discussions with representatives from the Hermosa Beach Historical Society and other interested individuals, staff has prepared a preliminary list of properties and sites that could be considered locally significant and potential candidates for future historic designation (see Map 17). This list was compiled from information provided by members of the Hermosa Beach Historical Society and the publication Castles On The Sand (1977) by Patricia Gazin. The following is not meant to be a final or exhaustive representation of all community resources.

Map 17 LOCALLY SIGNIFICANT HISTORIC RESOURCES

Location Map



List of Locally Significant Resources

1. Bank of America building, 90 Pier Avenue - one of the oldest commercial structures in downtown
2. Hermosa Hotel, 26 Pier Avenue - the oldest hotel building in downtown, built before World War I
3. Bijou Theater, 1229 Hermosa Avenue - the oldest movie theater in city
4. commercial building at northeast corner of Pier and Hermosa Avenues, 1200 Hermosa Avenue - only early 20th Century brick architecture in downtown
5. Insomniac site, 49-53 Pier Avenue (now Loreto Plaza) - former site of Insomniac coffeehouse, famous poetry and jazz theater in 1950s and 1960s
6. The Lighthouse, 30 Pier Avenue - famous jazz nightclub since 1940s
7. Del Mar Apartments, 840 Strand - early 20th Century downtown apartment building
8. Berth Hotel, 1042 Strand - built in 1907 and commended by the City for its beautification in 1978; now part of the Sea Sprite Motel complex
9. Sea Sprite Motel, 1016 Strand - oldest of the modern-era motor lodge in City, in continuous operation since the 1940s
10. Grannis Hotel and Apartments, 24 11th Street - built in 1911, also known as the St. Francis Hotel in the 1950s
11. Pueblo Apartments, 1912 Hermosa Avenue - architecturally distinctive adobe style dating back to 1924
12. Matteson home, 1040 Manhattan Avenue - distinctive frame architecture with gabled roof
13. Pitcher House, 142 Pacific Coast Highway - distinctive early 20th Century style brick architecture
14. old Mrs. Gooch's building, 526 Pier Avenue - early American style wood frame building, formerly the Hermosa Tabernacle Church in the 1920s
15. GTE building, 102 Pacific Coast Highway - classic deco brick architecture commercial building
16. Clark Stadium building, 861 Valley Drive - small deco style building over 50 years old

17. Community Center, 710 Pier Avenue - classic deco building formerly used as an elementary school
18. Charlie Chaplin house, 32 10th Street - summer home for Charlie Chaplin family, featuring distinctive front porch arches
19. house, 1602 Strand - Spanish-style castle structure with art glass windows built in 1928
20. Neutra Apartments, 1608-1612 Strand - built in 1938, believed to be an early example of famous architect Richard Neutra
21. T. L. Woolwine house, 2601 Strand - Pre-World War I building, former home of Los Angeles District Attorney during early 1900s
22. Ozzie and Harriet Nelson home, 3133 Strand - summer home to famous entertainment family with an attractive wood shingle facade
23. Sprague house, 3301 Strand - home to members of the Sprague family, who were part of Nixon's "Kitchen Cabinet," distinguished by pink stucco facade and garden style layout
24. McComb house, 3409 Strand - former home of State Supreme Court Justice McComb
25. Sarah A. Beane house, 2330 Strand - quaint early bungalow house that is one of the oldest residential structures in South Bay, dated back to 1880s. Formerly the real estate office of Sarah A. Beane, the City's first postmaster
26. William W. Mathews house, 37 9th Street - large two story early California bungalow house built in 1907, formerly the home of William W. Mathews, Hermosa Beach Mayor and councilman during World War II
27. William Jennings Bryan home, 2045 Monterey Boulevard - classic California bungalow, home to the famous politician and orator during his retirement years
28. Matteson home, 1901 Manhattan Avenue - beautiful mansion built in 1921 by noted architect Paul Williams, one of the few South Bay examples of his work

Possible Historic Districts

- residential neighborhood bounded by 16th Street, Strand, 20th Street, and Hermosa Avenue
- Strand houses north of 26th Street

OBJECTIVES AND IMPLEMENTATION POLICIES

PRIMARY OBJECTIVE 1: Establish a historic preservation program. **E**

Implementation Objective 1.1: Establish a set of guidelines to determine what criteria should apply in determining what type of buildings, structures, or sites should be considered for historical preservation. **E**

Implementation Objective 1.2: Investigate State and federal historic preservation programs applicable to local resources. **E**

Implementation Policy 1.2: Participation in any program shall be voluntary and if possible, a building that qualifies for historical preservation should be made afforded the opportunity for tax exemptions as an incentive. **E**

Implementation Policy 1.3: Examine what is to be achieved by the preservation of various historical sites. **N/C**

p/historic

DOWNTOWN ALTERNATIVES

DOWNTOWN ALTERNATIVES

BACKGROUND ON DOWNTOWN ECONOMIC TRENDS

For the past 40 years, Hermosa Beach's downtown commercial district has been characterized by high business turnover rates, diminishing sales activity, and deferred building maintenance. The reasons for this overall economic decline are linked to both the general growth trends of southern California and the unique physical characteristics of downtown Hermosa Beach.

Characteristics of Traditional Downtown Shopping Districts

Prior to World War II, retail establishments typically concentrated in downtown central business districts. With the exception of a few regionally oriented department store chains, retail enterprises tended to be small, locally owned, and oriented toward shoppers from the immediate surrounding neighborhoods. Shoppers tended to patronize local establishments due to the benefits of short commuting distances and preferential "repeat-customer" status, which contributed to a sense of community attachment for both merchants and patrons. Since these downtown commercial districts were primarily supported by the immediate community, market demand was insufficient to justify several competing retailers offering identical products or services. Before the freeway system was built, commuting to another community's downtown shopping district for the same type of item offered by a local retailer was usually only justified by a considerable difference in product cost or quality. The time and effort involved in driving across the early arterial routes (often only two lanes) had a limiting influence on comparison shopping.

In Southern California, as with much of the rest of the nation, the movement away from traditional downtown shopping districts had begun before the advent of regional shopping centers in the 1950s. Downtowns in older communities such as Hermosa Beach were originally developed in the 1920s-30s, reflecting the subdivision and construction patterns of that period: narrow lots with compact ground level retail space in one and two story masonry buildings. These downtown shopping districts and surrounding residential neighborhoods were fully developed well before World War II. Although retail market demand continued to grow with the regional population, these downtown districts could not expand horizontally, since surrounding neighborhoods were already developed, or vertically, due to the cost of constructing seismically safe building additions. The lack of developable land in downtowns also constrained the expansion of parking facilities.

Since downtown businesses could not adequately expand to meet the increasing demands from population growth, retailers began relocating to the periphery of established communities and other newly developing areas. The movement out of downtowns first

began with retailers of large durable goods to sparsely developed highway strips. For example, auto dealers moved out of downtown Hermosa Beach to the Pacific Coast Highway commercial corridor in the 1930s-40s.

As technological improvements in the automobile made it increasingly easier for shoppers to travel longer distances, purchasing decisions could be made on a regional as well as local level. Commercial highway corridors became both the primary transportation linkage and destination points of regionally serving retail outlets. As residents from neighboring communities began to shift shopping patterns away from locally oriented downtowns to regionally serving highway corridors, retailers offering smaller comparison goods and convenience items also began relocating from downtowns to these new shopping districts.

Post World War II Economic Trends

With the construction of a national freeway system (generally 1945-55), commuting and residence patterns began to change rapidly. Freeways provided the opportunity to drive longer distances to employment and shopping locations. America became a mobile society where shopping and entertainment options became increasingly more influenced by regional rather than local considerations.

The suburbanization movement began as households left urban neighborhoods for new residential developments in the previously undeveloped areas along the urban periphery. In the Los Angeles area, this trend first occurred in the San Fernando Valley and continued into Orange County. As more households moved to the suburbs, retailers followed this growing market demand and established new businesses along major arterial intersections in large structures with multiple retail outlet spaces that became known as regional shopping centers. The large developable tracts available in these new suburban communities made it possible to concentrate as much if not more total retail floor space on a development site than many entire downtown commercial districts.

Advantages of Shopping Centers/Malls

The ability to build massive, multi-level shopping structures in newly developing communities allowed for several important advantages over the established downtown districts. The large development sites provided several times more parking spaces than downtowns, with all parking spaces located within a short walking distance from the primary entry points. The concentration of retail outlets to serve a larger market base had the double effect of inducing more shoppers from beyond the immediate locality due to the greater shopping opportunities, which in turn provided an economic justification for competing retailers offering similar or identical goods and services to locate in the same shopping center. Therefore, shopping centers and malls offered greater convenience in terms of more available parking space and more retail outlets in close proximity, as well as more

opportunities for comparison shopping in one location for not only general merchandise department stores but also specialty retailers.

Impact on Established Downtowns

The inherent market advantages of shopping centers and malls gradually drained downtown districts of the more general retail anchor stores. As a result, downtowns were often left with either retailers offering goods particularly unique or appealing to local tastes and/or retailers lacking the financial resources to relocate. Many older downtown districts have experienced severe economic consequences from this suburbanization pattern.

Characteristics of Downtown Hermosa Beach

The existing mix of commercial retailers in downtown Hermosa Beach is the result of regional economic trends combined with a relative absence of public sector intervention or assistance in determining the downtown's character and market niche. Throughout the history of downtown Hermosa Beach, the City has basically allowed free market conditions to determine overall land use patterns. Until recently, no conditional use regulations or detailed restrictions on permitted uses were applied to downtown properties. Downtown marketing activities have primarily focused on special Chamber of Commerce events, e.g. Fiesta de las Artes, and special sporting events, e.g. volleyball tournaments.

The overall spatial arrangement of downtown Hermosa Beach is in many aspects typical of older downtown commercial cores. Downtown Hermosa Beach covers a small geographic area with parking primarily confined to a couple of off-street surface parking lots and on-street parking spaces. The commercial building stock is made up of older one and two story structures. The lack of economic viability in downtown Hermosa Beach is evident by the lack of general merchandise retailers and the deferred maintenance characterizing some structures.

In addition to the competitive disadvantages typical of many older downtowns, e.g. aging building stock, downtown Hermosa Beach also has certain unique characteristics that have had a strong influence on local economic development. Located on the Pacific coast without direct freeway access, downtown Hermosa Beach is at a competitive disadvantage with larger and more accessible inland shopping centers. However, downtown Hermosa Beach experiences large numbers of beach visitors during the warm weather months, primarily made up of South Bay residents and out-of-State tourists. The shopping demands of these beach visitors are primarily limited to entertainment and recreational interests, such as casual dining spots, casual apparel shops, convenience markets, specialty gift stores, nightclubs, and sporting goods shops. In the cooler off-season months, the downtown is mainly patronized by local residents who seek to enjoy the beachfront atmosphere for dining and nightclub visits.

Regional Competition

Development patterns throughout the South Bay over the past few decades have effectively "captured" much of the market share for both general merchandise and entertainment/specialty shopping demands. The market for general shopping needs, such as durable comparison goods and appliances, is well represented by competing South Bay shopping malls, many with easy freeway access. These shopping malls include Manhattan Village in Manhattan Beach, Hawthorne Plaza in Hawthorne, South Bay Galleria in Redondo Beach, Peninsula Center in Rolling Hills Estates, Del Amo Fashion Center in Torrance, Carson Mall in Carson, and Long Beach Plaza in Long Beach.

The ability of downtown Hermosa Beach to draw entertainment and tourist dollars is also under heavy competition from established entertainment and specialty shopping districts, many located close to the beachfront, including: downtown Manhattan Beach; King Harbor, Fisherman's Village, and Riviera Village in Redondo Beach; Malaga Cove in Palos Verdes Estates; Third Street Promenade in Santa Monica; and the various entertainment districts in West LA (i.e., Melrose Street, Sunset Strip). Entertainment and specialty shopping districts outside of the South Bay subregion may effectively draw shoppers away from Hermosa Beach since many people are often willing to drive further to reach entertainment districts than shopping malls.

p/outline

OUTLINE OF POTENTIAL SCENARIOS

Major Issues

- A. Reduce downtown boundaries (rezone existing commercial properties to residential)
 - 1. Eliminate commercial properties south of 10th Street.
 - 2. Eliminate commercial properties south of 11th Street.
 - 3. Eliminate commercial properties north of 14th Street.
 - 4. Eliminate commercial properties north of 13th Street.
 - 5. Eliminate commercial properties north of 13th Street and south of 11th Street.
 - 6. Eliminate commercial properties north of 14th Street and south of 10th Street.
 - 7. Eliminate commercial properties north of 13th Street and south of 10th Street.
 - 8. Eliminate commercial properties north of 14th Street and south of 11th Street.
- B. Expand downtown boundaries (rezone residential properties along periphery of downtown to commercial)
 - 1. Rezone all residential properties between 8th Street, 10th Street, Hermosa Avenue, and The Strand.
 - 2. Rezone all residential properties between 9th Street, 10th Street, Hermosa Avenue, and The Strand.
 - 3. Rezone all residential properties between 14th Street, 15th Street, Hermosa Avenue, and The Strand.
 - 4. Rezone all residential properties between 14th Street, 16th Street, Hermosa Avenue, and The Strand.
 - 5. Rezone all residential properties described in B.1. and B.3.
 - 6. Rezone all residential properties described in B.2. and B.4.
 - 7. Rezone all residential properties described in B.1. and B.4.
 - 8. Rezone all residential properties described in B.2. and B.3.

- C. Establish maximum floor area ratios (recommended by the State OPR as a measure of building intensities, which is a standard required for all Land Use Elements)
 - 1. Floor area ratio of 1:1 for all commercial properties.
 - 2. Floor area ratio of 1.5:1 for all commercial properties.
 - 3. Floor area ratio of 2:1 for all commercial properties.
 - 4. Floor area ratio of 2.5:1 for all commercial properties.
 - 5. Floor area ratio of 3:1 for all commercial properties.
- D. Expand tourist/beach visitor commercial land uses (i.e., restaurants, outdoor cafes, convenience markets, nightclubs, taverns, sporting goods, health and personal care related stores, apparel)
 - 1. Rezone all downtown to permit tourist/beach visitor related uses only.
 - 2. Rezone all downtown properties west of Palm Drive to permit tourist/beach visitor related uses only.
 - 3. Rezone all downtown properties on Pier and Hermosa Avenues to tourist/beach visitor related uses only.
- E. Expand local resident-serving commercial land uses (i.e., general merchandise, household items, convenience markets, restaurants)
 - 1. Rezone all downtown to permit local resident-serving uses only.
 - 2. Rezone all downtown properties except those on Hermosa and Pier Avenues
- F. Permit properties to have mixed commercial/residential uses
 - 1. Permit mixed commercial/residential properties on Pier Avenue only
 - 2. Permit mixed commercial/residential properties on Pier Avenue east of Hermosa Avenue only
 - 3. Permit mixed commercial/residential properties on Hermosa and Pier Avenues only
 - 4. Permit mixed commercial/residential properties west of Palm Drive only
 - 5. Permit mixed commercial/residential properties west of Palm Drive and south of 13th Street only

6. Permit mixed commercial/residential properties west of Palm Drive and north of 11th Street only
 7. Permit mixed commercial/residential properties throughout downtown
- G. Rezone the entire downtown to residential uses

Subsections to be Discussed for Each Scenario

- define intent of scenario
- general description of land use characteristics
- detailed list of permitted land uses
- potential advantages to residents, merchants, and/or tourists
- potential disadvantages to residents, merchants, and/or tourists
- potentially beneficial and adverse environmental issues
- relationship to R/UDAT
- potential fiscal impacts to City
- Coastal Commission reaction
- potential implementation strategies
- anticipated implementation timeframe

p/outline

REDUCED DOWNTOWN ALTERNATIVE

I. General/Purpose

This alternative would reduce the overall size of the downtown commercial district by redesignating targeted properties along the downtown periphery to residential zoning. Although this alternative discusses all the targeted properties, an option would be to do only a select group. In the current era, it is not unusual for cities to reduce the size of downtown areas by rezoning properties to residential. Many communities, e.g. Long Beach, Torrance, have used this approach for downtown revitalization.

The general rationale for considering a reduction is that over the last 30 years or more, the demand for commercial space has been almost negligible and some vacant properties have been unable to attract developers. Furthermore, much of the downtown periphery area is already residential.

II. Potential Advantages

1. Eliminates vacant and underutilized commercial properties and deficient/deteriorating commercial structures located along downtown periphery
2. New residential properties will provide more housing opportunities and will increase property tax revenues
3. Close proximity of shops to new residential development will increase casual pedestrian shopper activity
4. Creates more demand for the remaining downtown commercial area as a unified shopping district

III. Potential Disadvantages

1. Reduction of downtown commercial properties, limiting opportunities for outside retailers to relocate into existing downtown vacant/underutilized retail space
2. Reduction in number of commercial retail properties that could offer employment opportunities
3. Greater commercial concentration and proximity of new residents could cause conflicts in terms of parking, accessibility, noise, and lighting spillover effects
4. Creates momentum for business flight to larger commercial districts with established shopper base (domino theory)
5. Contributes to a perception of City as "anti-business"

IV. Existing Downtown Conditions

The overall downtown, including the strip commercial properties along Pier Avenue, presently has a total land area of 757,606 square feet and total commercial floor area of 344,852 square feet, including 78,246 square feet of restaurant floor space and 85,554 square feet of office floor space, for a total floor area ratio (FAR) of 0.455:1. The FAR represents the total floor space of all land uses divided by the total land area of all downtown properties. Downtown presently has a combined total of 1,583 public and private parking spaces. A 1990 survey conducted by Planning Department staff indicates that there are presently a total of 77 dwelling units in the entire downtown area.

These commercial properties proposed for redesignation are generally underutilized and predominated by small commercial structures and one and two unit residential structures. The existing commercial uses on these properties include three fast food restaurants, two casual dining restaurants, a liquor store, a convenience market, two hair salons, three professional offices, and several miscellaneous businesses. There are a total of 39 dwelling units located on these properties, with approximately 42% of the properties containing at least one dwelling unit. Many residential structures exhibit signs of deferred maintenance.

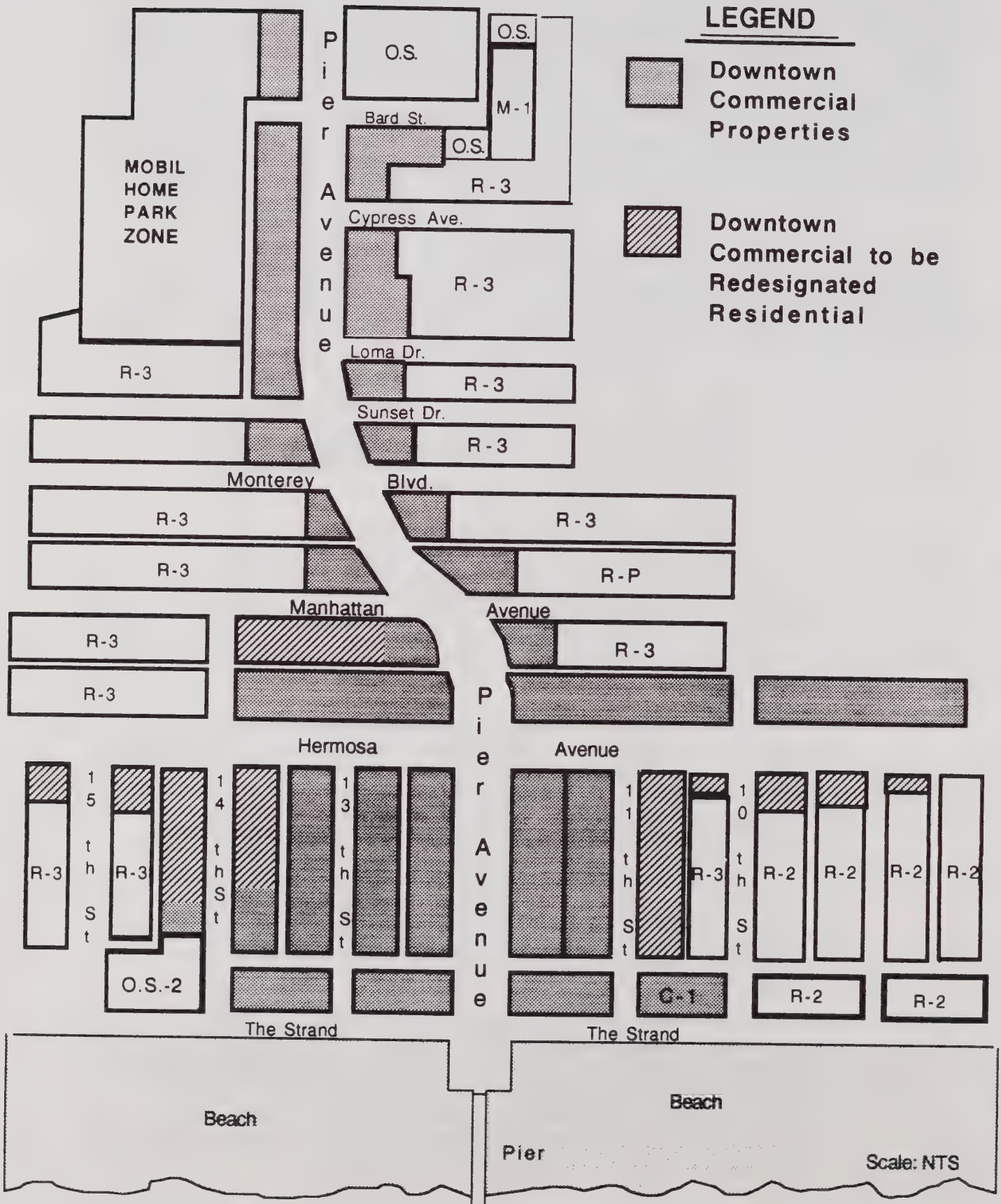
V. Future Downtown Conditions

The following floor space estimates represent the maximum potential commercial development the downtown could support under current zoning standards with the redesignation of the properties shown in Map 18 to residential uses. The calculations on maximum build-out in the reduced downtown area are also based on the following assumptions:

- All future downtown commercial properties would be developed to provide the maximum amount of floor space possible, in conformance with the existing 30 foot height limitations, while allowing adequate space on the property for the full provision of all required off-street parking spaces, either at ground level or above ground.
- No non-commercial developments on any downtown properties (in order to estimate the maximum amount of retail/office floor space possible under current zoning).
- Commercial uses are broken down into two major categories, retail/office and restaurant, for convenient analysis. These two categories are distinguished by different off-street parking requirements: one space per 250 square feet of gross floor area for retail/office uses and one space per 100 square feet of gross floor area for restaurant uses.

MAP 18

Commercial Properties to be Redesignated Residential



- For calculation purposes, each required parking space represents 400 square feet of floor in order to account for all parking stall, aisle and drive area space needed for an adequate parking lot. This 400 square foot per space average is a recommended standard that comes from APA Report Number 405, New Residential Standards for Nonresidential Uses, 1987.
- Restaurants currently make up approximately 23% of all floor space in downtown. This alternative assumes that the downtown retail mix will retain roughly the same proportion of restaurants, with restaurants making up 25% of total downtown land and the remaining 75% devoted to general retail/office uses.

TABLE 10
MAXIMUM POTENTIAL RETAIL/OFFICE DEVELOPMENT (75% OF DOWNTOWN)
(Square Feet)

<u>Total Land Area</u>	<u>Total Floor Area</u>	<u>Total Parking Area</u>
459,855	530,602	848,963

TABLE 11
MAXIMUM POTENTIAL RESTAURANT DEVELOPMENT (25% OF DOWNTOWN)
(Square Feet)

<u>Total Land Area</u>	<u>Total Floor Area</u>	<u>Total Parking Area</u>
153,285	91,971	367,884

TABLE 12
MAXIMUM POTENTIAL COMBINED COMMERCIAL USES DEVELOPMENT
(Square Feet)

<u>Total Land Area</u>	<u>Total Floor Area</u>	<u>Total Parking Area</u>
613,140	622,573	1,216,847

Under this alternative, the maximum potential floor area under full development would be 622,573 square feet, which is approximately 80% greater than the amount of total commercial floor present in the current downtown (344,852 square feet). This amount of floor area appears more than adequate to meet demand for commercial development.

The number of parking spaces required for the maximum potential downtown development would total 3,042 spaces, consisting of 2,122 retail/office spaces and 920 restaurant spaces. The parking area allocation only assumes that all parking spaces are

off-street and above ground, with no determination on the potential ratio of surface level spaces to parking structure spaces. This determination is not necessary for aggregate projections since parking for some commercial land uses may be within the same parcels or entirely on separate parcels. Therefore, the FAR for any given parcel could theoretically be as much as 3:1 or under 1:1. The aggregate FAR for the entire downtown under this alternative is approximately 1.02:1, which is more than double the current downtown FAR of 0.455:1 (due to the reduced land area coupled with greater building intensity).

Since residential properties surrounding the existing downtown consist of both Medium Density and High Density Residential land use designations, it is likely that any commercial property converted to residential uses would be at medium or high densities for compatibility with the surrounding residential neighborhoods. Medium Density Residential allows a maximum of 25 dwelling units per acre while High Density Residential allows a maximum of 33 dwelling units per acre. The properties converted to residential uses under this alternative total 144,466 square feet, which is approximately 3.3 acres. Therefore, the maximum number of additional housing would be 83 dwelling units under the Medium Density Residential designation and 109 dwelling units under the High Density Residential designation.

The 1990 Census reports an average of 1.98 persons per occupied housing unit for the City. Using this average, it is projected that the Medium Density Residential designation would result in 164 new residents and the High Density Residential designation would accommodate 216 residents.

VI. Potential Environmental Impacts

Traffic/Circulation - The reduction in downtown commercial properties could reduce the total number of shopper and employee vehicle trips (a "trip" is defined by the Institute of Transportation Engineers as a single or one-direction vehicle movement with either the origin or destination inside the study area; a residential property with two commuters would therefore generate four weekday trips). It is not anticipated that a reduction in commercial land area would reduce the number of beach visitor trips to the downtown area.

Since it is not anticipated that there would be any future demand for additional downtown commercial space, there would be no traffic/circulation impacts due to downtown commercial uses. With the conversion of commercial properties to residential uses, there would be an increase in the number of resident vehicle trips, particularly during the weekday AM and PM peak commuting periods. Assuming that there could be up to two commuters for each additional dwelling unit, the High Density Residential designation could result in as many as 436 additional vehicle trips on a weekday. Weekend residential trips could total up to 654 additional trips, which assumes six trips per dwelling unit.

Air and Noise - Since there would be no demand for additional commercial space on the remaining downtown commercial properties, the only air quality and noise impacts would come from residential conversions.

Public Services/Utilities - The conversion of commercial properties to residential uses could reduce the downtown commercial demand for public services and utilities while increasing residential demands. This would likely mean less demand for certain types of public services, particularly police services (since many types of commercial uses have higher police call rates than residential uses) and more demand for public utilities such as water and sewer facilities, although many commercial uses tend to generate greater amounts of solid waste, e.g. office uses generate large amounts of paper waste.

Population/Housing - As discussed above, maximum development of the converted residential properties could result in 83-109 new dwelling units and 164-216 new residents, depending upon the land use designation. This would represent 0.9-1.1% of the total 9,689 housing units and 0.9-1.2% of the total 18,219 residents for the City as reported in the 1990 Census. Therefore, even under worst-case circumstances, the housing and population impacts to the City would be considered less than significant.

Earth - Any potential soil or ground surface disruptions would therefore be limited to grading activities during the initial construction phases. Since the downtown area is essentially flat, there would be no changes to topography or ground surface relief features beyond possible minor landscaping features, e.g. decorative slopes on individual properties. Since downtown is presently fully developed and almost entirely consisting of impervious surfaces, there would be no changes in deposition or erosion of soils or beach sands. There would be no change in the potential exposure of people or properties to geologic hazards. Therefore, no significant impacts to earth resources are anticipated.

Water - Any future development would not significantly alter current absorption rates, drainage patterns or the rate and amount of surface runoff since the area is presently fully developed with impervious surfaces. Potential future development would not result in any significant impacts to the course or direction of flood waters, the amount or direction of surface water movements, or rate of flow or quantity of ground waters. Potential development would also not result in a substantial reduction in the amount of water available for public water supplies. There would be no change in any potential exposure of people or property to water-related hazards such as flooding or tidal waves.

Aesthetics/Recreation - The conversion of commercially zoned properties to residential designations may result in some obstructions to scenic vistas since the R-3 zoning standards, which would apply for properties designated High Density

Residential, allows a maximum height of 35 feet, which is 5 feet greater than the maximum height in the C-2 zone.

Historic/Cultural Resources - Since none of the commercial properties to be redesignated as residential uses include any historically significant structures or sites, there would not be any impacts to any historic sites, structures, buildings or objects.

VII. Fiscal Impacts

Since all commercial properties targeted for residential conversion represent about 19% of all commercial land in the existing downtown, this would represent a potential worst-case loss of \$47,500-57,000 in sales tax revenues annually (based on a downtown average of \$250,000-300,000 in annual sales tax revenues for the last three fiscal years). However, since only about half of these targeted commercial properties presently contain marginal commercial uses, the maximum potential loss in annual sales tax revenues would more likely be \$25,000 or less.

The estimated potential loss in business license fees through the eventual elimination of commercial uses through residential conversion would not amount to more than \$17,000 annually. The entire downtown presently represents only about 14% of the total \$465,000 the City receives in business license fees annually.

The replacement of commercial structures with residential uses would probably result in greater property tax revenues, since it is anticipated that the new residential structures would have a higher assessed improvement value (most of the assessed value of these commercial properties is the land value rather than the improvement value). The maximum 109 new dwelling units allowable under the High Density Residential standards could have a total assessed value of \$46,979,000, based on the 1990 Census median value of \$431,000 for owner-occupied units. Since the City receives \$0.24 for every dollar of the basic 1% property tax levy, approximately \$112,750 in annual property tax revenues would be generated.

VIII. Potential Coastal Commission Reaction

To the extent that redesignating properties in the downtown periphery from commercial to residential land uses may reduce the availability of land for visitor-serving commercial recreational uses, the Coastal Commission would find this action inconsistent with its policies. The California Coastal Act of 1976, Section 30222, states that "the use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development". Although the Coastal Act does not specifically define "visitor-serving commercial recreational facilities," the City's Land Use Element currently defines commercial recreational land uses as various commercial activities such as bowling alleys, motels, theaters,

entertainment establishments, night-clubs, shops and similar businesses. While downtown properties designated Commercial Recreation in the City's Land Use Element make up only a small proportion of downtown land, some downtown properties to be redesignated residential under this alternative are presently characterized by the type of land uses that fit the commercial recreation description. Since the Coastal Commission places a higher priority on commercial recreational land uses over residential land uses, it is anticipated that the Coastal Commission may not support the intentions of this alternative. However, with good justification such as the present underutilization of these commercial properties, the Commission may approve a change in the land use designation.

IX. Relationship to R/UDAT

The Regional/Urban Design Assistance Team (R/UDAT) program, sponsored by the American Institute of Architects (AIA), has recently completed a team study of downtown Hermosa Beach. The purpose of the R/UDAT study is to identify key issues through workshops and community input sessions in order to develop a conceptual action plan for downtown revitalization.

Reducing the size of downtown may provide for an improved "business-residential interface," which is a stated goal of the Downtown Revitalization Committee. A smaller downtown could become more oriented toward local residents rather than daytime beach visitors and evening night-club patrons. On the other hand, simply reducing the size of downtown may have little, if any, effect on the amount or type of goods and services offered by downtown merchants. More importantly, reducing the downtown size could inhibit the effective implementation of the R/UDAT program.

X. Implementation

If the City decides to rezone the designated downtown commercial properties to residential uses without an amortization period for nonconforming commercial uses, these commercial uses could conceivably continue indefinitely. Although these properties could experience business turnovers, a continuation of the same use within 90 days could occur. The absence of an amortization period would therefore result in little to no change in land use for the short term (one to five years) and only slow, gradual conversions to residential uses over the long term (five years and beyond).

If an amortization period is established by the City, residential conversions would occur in a relatively short period of time depending upon the length of the amortization period (probably three to five years). The initial announcement of an amortization program is likely to cause an immediate departure of some commercial enterprises from the downtown. These businesses may have to relocate out of the City in order to find satisfactory retail space. However, an amortization program could also drive away other businesses from the remaining

commercial downtown area based on the perception that the City is "anti-business." Once businesses leave the redesignated properties, new residential construction could be expected to commence within one to two years, since beach area multi-family developments have high investment return potential.

GOAL

- A. Reduce the total land area in the downtown commercial district.

OBJECTIVES

- A. Eliminate underutilized commercial properties and deficient commercial structures along the downtown periphery by rezoning the properties for residential uses.
- B. Encourage more efficient utilization of the reduced downtown commercial area.
- C. Limit the time period for nonconforming commercial uses to continue operations on converted residential properties (optional).

POLICIES

- A. No construction, improvements, and/or expansions to existing nonconforming commercial structures on the converted residential properties.
- B. No new commercial developments on the converted residential properties.
- C. All nonconforming structures subject to the amortization period set forth by the City shall be required to be removed (optional).
- D. No extensions on the amortization period for nonconforming commercial uses shall be granted, except in cases of extreme hardship only (optional).

PROGRAMS

- A. Review all future development proposals in rezoned areas.
- B. Monitor amortization periods for all nonconforming commercial uses in converted residential properties (optional).

c/reducedn

MIXED USE ALTERNATIVE

I. General/Purpose

This alternative would create a new land use designation, Downtown Mixed Use, that would allow both residential and commercial uses on the same property. Residential uses would be permitted on the upper levels if the structure also contains commercial uses. All commercial uses would be subject to the GC General Commercial land use standards, while all residential uses would be subject to the HD High Density land use standards. Properties containing both commercial and residential land uses would be subject to both commercial and residential standards, as applicable.

II. Potential Advantages

1. Allows a wide variety of potential land uses throughout downtown, thereby providing greater incentives for property owners to more fully invest in their properties
2. Provides opportunities to increase the City's low and moderate income housing stock
3. Provides opportunities for larger local shopper base due to growth in downtown resident population, thereby potentially increasing sales tax revenues and the variety of retail outlets
4. Provides incentives to upgrade existing underutilized properties, resulting in increased property tax revenues
5. Creates a distinctive urban downtown environment that could contribute to a more positive image of downtown

III. Potential Disadvantages

1. Mixed use developments are difficult to finance and insure, except for mixed use developments with low and moderate income units, and few developers are interested in this type of construction
2. Mixed use developments may not fit the relatively low density residential character of the City, creating potential conflicts with surrounding residents in terms of circulation, parking, lighting and noise impacts
3. Allowing residential development in the downtown could effectively replace existing commercial developments with high income residential units, leading to opposition from local merchants on the perception that the City is "anti-business"

IV. Existing Downtown Conditions

The existing downtown commercial district, which includes all commercially zoned properties west of Hermosa Avenue between 8th and 16th Streets and the Pier Avenue corridor west of Valley Drive, is predominately made up of commercial establishments, with some residential uses. Restaurants and offices are two of the most prevalent downtown commercial land uses, making up approximately 23% and 25% of all downtown commercial floor space, respectively. Apparel stores make up one of the largest general retail uses in downtown, comprising about 13% of all commercial floor space. Many commercial properties on the downtown periphery west of Hermosa Avenue are characterized by single and multi-family residential structures that exhibit various signs of deferred maintenance.

V. Future Downtown Conditions

Under a new land use designation that permits both commercial and residential uses on the same property, the downtown could potentially be developed in an infinite variety of commercial and residential uses as long as the total building mass conforms to the C-2 zone standards (except for properties developed entirely for residential uses, which would be subject to the R-3 zone development standards), total density conforms to the R-3 zone standards, and all required parking spaces are provided on-site. Existing mixed uses that are presently nonconforming uses and structures under the C-2 zone would become permitted uses under this alternative, but would remain nonconforming structures unless they meet the new code standards. This could have the unintended effect of encouraging owners of older mixed use structures to continue the present use of these structures, many of which are deficient in terms of off-street parking space allocation, structural maintenance, and building layout.

While it is not possible to accurately forecast the future distribution of commercial and residential uses that may be developed throughout downtown, it is probable that few, if any, new mixed use structures would be developed. This is because mixed use developments are difficult to finance without the inclusion of some public funding source. Most new mixed use developments (ground floor commercial and upper floor residential) involve some form of public sector participation, such as redevelopment agency funding, with the provision of low and moderate housing units. This type of mixed use development financing is not within the scope of this alternative. It is therefore anticipated that most, if not all, mixed use properties will be the existing structures found along the Pier Avenue corridor the central downtown core between 11th and 14th Streets west of Hermosa Avenue. Some of the existing commercially zoned properties located on the downtown periphery west of Hermosa Avenue that presently contain older single family structures or small commercial structures would be likely candidates for new upscale multi-family developments.

The following calculations are based on the assumption that future downtown commercial floor space would be 75% general retail/office uses and 25% restaurants for estimating floor space to parking space ratios. Therefore, a calculation of all commercial and no residential development would be the same as the Expanded Downtown Alternative, and an all residential and no commercial calculation would be the same as the Residential Alternative.

TABLE 13
100% COMMERCIAL, 0% RESIDENTIAL MAXIMUM POTENTIAL DEVELOPMENT
(Square Feet)

<u>Total Commercial Land Area</u>	<u>Total Commercial Floor Space Area</u>	<u>Total Commercial Parking Area</u>
757,606	769,262	1,503,556

There would be a total of 3,758 commercial off-street parking spaces under this maximum development projection.

TABLE 14
75% COMMERCIAL, 25% RESIDENTIAL MAXIMUM POTENTIAL DEVELOPMENT
(Square Feet)

<u>Total Commercial Land Area</u>	<u>Total Commercial Floor Space Area</u>	<u>Total Commercial Parking Area</u>
568,205	576,947	1,127,668
<u>Maximum Residential Dwelling Units</u>	<u>Total Population</u>	
143	375	

There would be a total of 2,819 commercial off-street parking spaces under this maximum development projection.

TABLE 15
50% COMMERCIAL, 50% RESIDENTIAL MAXIMUM POTENTIAL DEVELOPMENT
(Square Feet)

<u>Total Commercial Land Area</u>	<u>Total Commercial Floor Space Area</u>	<u>Total Commercial Parking Area</u>
378,803	384,631	751,778
<u>Maximum Residential Dwelling Units</u>	<u>Total Population</u>	
287	752	

There would a total of 1,879 commercial off-street parking spaces under this maximum development projection.

TABLE 16
25% COMMERCIAL, 75% RESIDENTIAL MAXIMUM POTENTIAL DEVELOPMENT
(Square Feet)

<u>Total Commercial Land Area</u>	<u>Total Commercial Floor Space Area</u>	<u>Total Commercial Parking Area</u>
189,401	192,315	375,888
<u>Total Residential Dwelling Units</u>	<u>Total Population</u>	
430	1,127	

There would be a total of 940 commercial off-street parking spaces under this maximum development projection.

TABLE 17
0% COMMERCIAL, 100% RESIDENTIAL MAXIMUM POTENTIAL DEVELOPMENT

<u>Total Residential Dwelling Units</u>	<u>Total Population</u>
574	1,504

VI. Potential Environmental Impacts

Traffic/Circulation - The potential vehicular trips generated under this alternative is largely dependent upon the type of new development constructed in downtown and the success of future commercial establishments in attracting new shoppers and/or employees. Any loss of existing off-street public parking space would have a significant adverse impact on downtown parking facilities.

The calculations on Average Daily Trips (ADT) in the downtown are based on the following assumptions: (1) during a weekday, each residential unit will generate two AM peak period trips and two PM peak period trips for a total of 4 trips per unit, which represents a worst case commuting pattern of two commuters for each unit, and all commercial uses will generate 3 trips for every 1,000 square feet of commercial retail floor area; (2) during a weekend day, each residential unit will generate a total of six trips and all commercial uses will generate 5 trips per 1,000 square feet of commercial retail floor area. As defined by the Institute of Transportation Engineers, a "trip" is a single or one-direction vehicle movement with either the origin or destination (exiting or entering) inside the study site, which in this case is the downtown.

TABLE 18
100% COMMERCIAL, 0% RESIDENTIAL AVERAGE DAILY TRIPS (ADT)

<u>Weekday ADT</u>	<u>Weekend ADT</u>
2,308	3,846

TABLE 19
75% COMMERCIAL, 25% RESIDENTIAL AVERAGE DAILY TRIPS (ADT)

Commercial Weekday ADT	1,731
Residential Weekday ADT	572
Total Weekday ADT	2,303
Commercial Weekend ADT	2,885
Residential Weekend ADT	858
Total Weekend ADT	3,743

TABLE 20
50% COMMERCIAL, 50% RESIDENTIAL AVERAGE DAILY TRIPS (ADT)

Commercial Weekday ADT	1,154
Residential Weekday ADT	1,148
Total Weekday ADT	2,302
Commercial Weekend ADT	1,923
Residential Weekend ADT	1,722
Total Weekend ADT	3,645

TABLE 21
25% COMMERCIAL, 75% RESIDENTIAL AVERAGE DAILY TRIPS (ADT)

Commercial Weekday ADT	577
Residential Weekday ADT	1,720
Total Weekday ADT	2,297
Commercial Weekend ADT	962
Residential Weekend ADT	2,580
Total Weekend ADT	3,542

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Commercial Weekend ADT	962
Residential Weekend ADT	2,580
Total Weekend ADT	3,542

TABLE 22
0% COMMERCIAL, 100% RESIDENTIAL AVERAGE DAILY TRIPS (ADT)

<u>Weekday ADT</u>	<u>Weekend ADT</u>
2,296	3,444

For comparison purposes, the existing downtown presently has a total of 77 dwelling units and 344,852 square feet of commercial floor space, which using the same assumptions for the trip projections under this alternative, would generate the ADT shown in Table 23. Full commercial development under this alternative would result in up to a 72% increase in weekday ADT and a 76% increase in weekend ADT. Full residential development would result in a 71% increase in weekday ADT and a 58% increase in weekend ADT.

TABLE 23
EXISTING COMMERCIAL AND RESIDENTIAL AVERAGE DAILY TRIPS (ADT)

Commercial Weekday ADT	1,035
Residential Weekday ADT	308
Total Weekday ADT	1,343
Commercial Weekend ADT	1,724
Residential Weekend ADT	462
Total Weekend ADT	2,186

Air and Noise - Maximum commercial or residential development would result in significant vehicle air and noise impacts. The potential increase in downtown year-round residents, shoppers and employees may have some significant pedestrian noise impacts.

Public Services/Utilities - Maximum development would result in significant increases in the demand for public services and utilities. Since it is not anticipated that allowing mixed uses in downtown will actually result in such developments, any future downtown growth will more likely be commercial in the downtown core and residential on the downtown periphery. Future downtown commercial development would result in greater demands on police protection, fire inspection and solid waste collection services, with lesser increased demands on water and sewer facilities. School, library, and health care services would be impacted by an increase in residential uses but not by commercial floor space.

Population/Housing - Worst case residential development of the downtown would result in up to 574 dwelling units and 1,137 residents, which is the same as maximum development under the Residential Alternative. Since, due to the reluctance of lenders to finance mixed use developments, any additional units are anticipated to be on properties developed solely for residential

uses, which is permitted under this alternative. New residential development would be most likely on properties along the downtown periphery that are presently used for residential purposes, e.g. south side of 14th Street west of Hermosa Avenue. Since new residential developments, particularly upscale condominiums, would provide a greater investment return than commercial developments, it is possible that this alternative could result in some population and housing impacts.

Earth - It is not anticipated that this alternative would result in any soil or ground surface disruptions beyond grading activities during the initial construction phases. There could be significant ground water impacts if any new developments involve underground construction, but this is not likely due to the expense involved with ground water pumping.

Water - Future development could result in an increase in impervious surfaces if existing residential lawns and other undeveloped areas are replaced with building or pavement cover. However, this would be an insignificant impact to the rate and amount of surface water runoff since only a small proportion of downtown land is presently undeveloped.

Aesthetics/Recreation - Future commercial development would be subject to the same C-2 zone standards and PDP requirements that currently guide downtown development, while residential development would be subject to the R-3 standards. While this alternative would not permit any building heights or bulk beyond what is currently permitted in the downtown and much of the surrounding residential properties, there could be potential future impacts to scenic views from surrounding properties. Potential commercial or residential developments would not have an impact on beach access unless it results in a loss of off-street public parking space.

Historic/Cultural Resources - Since the downtown is a fully urbanized area with no designated historic sites, it is not anticipated that any future development would have significant impacts on historic/cultural sites. While there are some structures that have local historic significance (see Residential Alternative for list of downtown structures and sites), none are designated historic landmarks.

VII. Fiscal Impacts

Any new downtown development would have a positive fiscal impact to the City, given the current low sales volumes and the need for more property maintenance that presently characterizes the downtown. One of the most beneficial fiscal impacts would be the additional property tax revenues that would accrue to the City if the older residential structures are replaced with upscale multi-unit structures. New residential developments would be attractive from a public revenue perspective since the City receives a comparatively high proportion of property tax revenue proceeds (\$0.24 of every dollar for the basic 1% levy) and

multi-unit developments, particularly condominiums, would have a higher assessed improvement value than commercial projects.

Future commercial development would have a positive impact on sales tax revenues, although it is difficult to predict the potential increase in sales tax revenues since this is dependent upon the type of retail establishments that come to downtown.

VIII. Potential Coastal Commission Reaction

Since this alternative would allow residential uses partially or wholly on any downtown property, the Coastal Commission could interpret this alternative as potentially limiting the provision of visitor-serving commercial recreation land uses, which have a higher priority value to the Commission than residential uses. However, if it is shown that future development would not impact public parking spaces or other forms of public access to the beach, the Commission may not have any objections.

IX. Relationship to R/UDAT

The Regional/Urban Design Assistance Team (R/UDAT) program is intended to help communities in local revitalization efforts. Mixed use developments have often incorporated innovative design elements that enhance both the aesthetic and functional value of such projects. However, the lack of potential private sector lenders and public sector funding sources would greatly reduce the probability of successfully completing mixed use developments in the City.

X. Implementation

Revising the downtown land use standards to permit high density residential and mixed residential/commercial land uses could provide greater incentives for private property investments. The type and diversity of new development would largely be the result of free market conditions. The current recession and lack of demand for additional downtown commercial space makes it unlikely that any new commercial development would occur over the next few years. Since beachfront residential developments, particularly upscale condominiums, typically have a higher rate of investment return for developers than commercial developments, it could be expected that most new construction proposals for both the short and long term would be for residential projects.

GOAL

- A. To allow a wide variety of residential and commercial land uses throughout downtown.

OBJECTIVES

- A. Encourage maximum utilization of downtown property development potential.

- B. Eliminate underutilized commercial properties and deficient commercial structures throughout downtown.
- C. Provide additional housing opportunities for various household income levels.
- D. Provide greater shopping opportunities in downtown for both local residents and visitors.
- E. Increase sales and property tax revenues.

POLICIES

- A. All future residential projects shall be subject to the R-3 development standards.

PROGRAMS

- A. Revise General Plan Land Use Map and zoning map to reflect land use changes.
- B. Revise General Plan and zoning ordinance standards for the new Downtown Mixed Use zone.
- C. Review all new development proposals for consistency with the new land use standards.

p/mixeduse

COMMERCIAL/RESIDENTIAL ALTERNATIVE

I. General/Purpose

This alternative would create a new land use designation for the downtown, Commercial/Residential, that would allow either entirely commercial or entirely residential uses on each downtown property. Commercial development would be subject to the GC General Commercial standards and residential development would be subject to the HD High Density Residential standards.

This alternative would prohibit any new mixed use developments which would include both commercial and residential land uses. All existing mixed use properties in the downtown would be subject to an amortization period for discontinuation of such uses.

II. Potential Advantages

1. Allows downtown property owners greater incentives to invest in currently underutilized properties, since residential beachfront developments would have a higher investment return than commercial developments, leading to greater property tax revenues
2. Provides opportunities for larger local shopper base with potential growth in downtown resident population
3. Provides greater options to property owners, creating a more free market approach by maximizing the economically highest and best property uses

III. Potential Disadvantages

1. Potential high density residential development could lead to traffic congestion and create commercial/residential conflicts
2. Allowing residential development in the downtown could effectively replace existing commercial developments with residential units, leading to opposition from local merchants and an "anti-business" image for the City
3. Future residential development represents "lost opportunities" to attract new commercial establishments into downtown and increase the City's sales tax revenues

IV. Existing Downtown Conditions

This alternative would affect all commercially zoned properties west of Hermosa Avenue between 8th and 16th Street and the Pier Avenue corridor west of Valley Drive. These commercially zoned downtown properties presently contain a total of 77 dwelling units, located in single family, multi-family, and mixed use structures.

V. Future Downtown Conditions

Allowing residential uses on downtown properties currently subject to the C-2 zone standards would encourage new residential development but may discourage new commercial development or reinvestment in existing commercial structures due to a perception that this land use change is intended to phase out downtown commercial uses. However, it is more likely that market conditions will determine the intensity and type of future developments.

There are several commercial properties on the downtown periphery, west of Hermosa Avenue, presently used solely for residential purposes. Future development on these properties would more likely be residential than commercial due to the geographic separation from the downtown commercial core (intersection of Pier and Hermosa Avenues) and the predominately residential character of surrounding properties. Future commercial development is more likely to occur within the commercial core of downtown, primarily west of Manhattan Avenue between 11th and 14th Streets. Although it is not possible to accurately predict an exact ratio of new commercial to residential development, it is possible that new residential developments could occupy 25-50% of all downtown properties, the majority of which would be upscale multi-family apartments and condominiums. This is due to the low sales activity characteristic of downtown retail outlets and the higher investment return from multi-family construction.

VI. Potential Environmental Impacts

Traffic/Circulation - Future downtown residential development would result in significant traffic volume increases, primarily during the AM and PM peak commuting periods. The following traffic volume projections assume that future downtown development will result in 25-50% residential development. The traffic volume calculations are taken from the Mixed Use Alternative.

Assuming that each residential unit will generate two AM peak trips and two PM peak period trips for a total of four trips per day, and that future residential development will occupy 25-50% of the 17.4 acre downtown, maximum development of 33 units per acre under the High Density Residential standards could generate approximately 570-1,150 weekday Average Daily Trips (ADT). Assuming that each residential unit generates six ADT on every weekend day (this is considered worst-case), maximum residential development of 25-50% of all downtown properties would generate approximately 860-1,720 weekend ADT.

Assuming that all downtown commercial properties generate 3 trips per 1,000 square of commercial retail floor space on a weekday and 5 trips per 1,000 square feet of commercial retail floor space on a weekend day, and that commercial space will occupy 50-75% of all downtown properties, future maximum commercial development could generate approximately 1,150-1,730 weekday ADT

and 1,920-2,885 weekend ADT, based on maximum development potential of 384,631-576,947 square feet of commercial floor area. Given the estimated existing downtown traffic volumes of 1,343 weekday ADT and 2,186 weekend ADT (see Mixed Use Alternative for calculations), the combined 2,300 weekday ADT and 3,745 weekend ADT would represent a 71% increase in both weekday and weekend ADT.

It is assumed that all new residential and commercial developments would provide all required off-street parking spaces, otherwise there would be significant adverse impacts on the availability of public parking spaces, particularly for shoppers and beach visitors.

Air and Noise - Depending on the amount of future development, there could be significant adverse air and noise impacts from increased traffic volumes. Since it is anticipated that much, if not most, of the new downtown construction would be multi-family residential, mobile air and noise impacts would be greatest during the AM and PM peak commuting periods.

Public Service/Utilities - If most future downtown construction was for multi-family residential developments, there could be significant increased demands for public services and utilities, particularly for school, water, and sewer services, since residential uses typically have higher demand rates for these services than commercial uses.

Future commercial development would also result in additional demands for public services and utilities, particularly for police, fire, and solid waste services. Although it is not possible to accurately predict demand increases, substantial commercial development could require the City to hire additional patrol officers and obtain an additional squad car for downtown police calls and at least one additional fireman for routine fire inspections.

Population and Housing - Assuming that 25-50% of the existing commercial properties in downtown are developed for residential uses under this alternative, maximum development under the High Density Residential Standards of 33 dwelling units per acre would result in 143-287 downtown dwelling units. Based on the 1990 Census average of 1.98 persons per occupied housing unit in the City, this residential development would result in 283-568 downtown residents. This would represent approximately 1.5-3.0% of the total 9,689 housing units and 1.6-3.0% of the total 18,219 residents in the City as reported by the 1990 Census.

Earth - No significant soil or ground surface impacts are anticipated beyond artificial slopes and other forms of decorative landscaping for residential developments.

Water - Future development of downtown properties with existing residential uses could result in additional impervious surfaces that would increase the rate and amount of surface water runoff. This development would mainly impact the downtown periphery west

of Hermosa Avenue since this is all unpaved lawn areas are located.

Aesthetics/Recreation - Future residential development would be subject to the R-3 zone standards, which allows a maximum height of 35 feet, five feet greater than the C-2 height restrictions. This could result in significant view obstructions for nearby properties. Since new residential development would be most likely to occur on underutilized properties that presently contain residential uses, the potential view impacts are greatest along the downtown periphery. No significant aesthetic impacts are anticipated for the downtown commercial core. It is also not anticipated that any future development would restrict public beach access since the existing public circulation network and public parking facilities would not be altered by any future developments.

Historic/Cultural Resources - It is not anticipated that future development would adversely impact sites and structures of local historic significance, particularly since the most probable development sites are the peripheral properties presently characterized by older residential structures exhibiting signs of deferred maintenance.

VII. Fiscal Impacts

Assuming that this alternative results in substantial residential development along the downtown periphery and limited commercial improvements, there would be significant increases in property tax revenues. There could also be slight increases in sales tax and business license revenues, due to the larger local shopper base that would be a direct result of future residential construction. New upscale multi-family developments would account for the majority of increased assessed valuations.

VIII. Potential Coastal Commission Reaction

Allowing residential development on all commercially zoned downtown properties would be opposed by the Coastal Commission on the grounds that this new land use designation has the potential to reduce visitor-serving commercial recreation land uses, which have a higher priority value to the Commission than residential uses. However, if it could be shown that this alternative would not adversely impact public parking and beach access, along with the probability that most future residential development would be located on commercial properties that presently contain residential uses, the Commission may refrain from filing a formal objection.

IX. Relationship to R/UDAT

The Regional/Urban Design Assistance Team (R/UDAT) program is intended to help communities with local revitalization efforts for economically distressed commercial districts. To the extent that this alternative could potentially result in residential development in the downtown commercial district, this alternative

could be considered counter-productive to the R/UDAT goals. However, since most future residential development is likely to be located on downtown properties that are presently used solely for residential purposes, this land use designation may not reduce the present amount of commercial floor space in the core commercial district.

X. Implementation

The implementation goals, objectives, policies and programs for this alternative would be similar to the Mixed Use Alternative, with the exception that commercial and residential uses could not share the same property under this alternative.

p/comres

COMMERCIAL RECREATION LAND USE ALTERNATIVE

I. General/Purpose

This alternative would create a new commercial land use designation, Downtown Commercial, that specifically limits permitted land uses to commercial activities considered entertaining or recreational in nature. The intent is to establish a well-defined image of downtown as a beachfront "entertainment/restaurant row" that would be particularly appealing to visitors from outside the community.

II. Potential Advantages

1. Opportunity to create a distinctive and positive image of the downtown
2. Increased sales tax revenues by emphasizing a greater concentration of land uses with high sales returns per square foot of floor space, e.g. upscale restaurants, jewelry and gift boutiques
3. Greater employment opportunities for local residents by encouraging labor-intensive land uses such as restaurants
4. Greater selection and diversity among the permitted types of uses by encouraging greater concentrations of competing businesses
5. Encourages property investment/upgrading to successfully market permitted land uses, thereby increasing property tax revenues

III. Potential Disadvantages

1. The limited number of permitted uses could prevent other types of retailers from coming to downtown
2. The limited permitted uses could contribute to an "anti-business" image of the City, possibly driving away existing businesses
3. A "restaurant row" concept may appeal primarily to cocktail lounge-oriented eating establishments, thus increasing the potential for crime-related problems
4. Owners of properties with land uses that become existing nonconforming uses as a result of this alternative, e.g. residential, office, could be discouraged from making future property investments/upgradings
5. This alternative requires activist role by City or Chamber of Commerce to successfully promote downtown to prospective restaurant entrepreneurs and customers

IV. Existing Downtown Conditions

Refer to the "Reduced Downtown Alternative" for a description of the existing downtown conditions.

V. Future Downtown Conditions

Under this alternative, only those commercial uses that directly or indirectly enhance the appeal of downtown's beachfront location would be permitted. The general types of permitted uses are listed below:

1. Entertainment, e.g. movie theaters, game arcades
2. Sporting goods, e.g. beach equipment, bicycle shops
3. Restaurants and other prepared foods establishments, e.g. outdoor cafes, delicatessens
4. Hobby, e.g. arts & crafts stores, musical instruments
5. Gifts, e.g. novelty shops, jewelry stores
6. Apparel, e.g. athletic/beach apparel, leather goods
7. Personal services, e.g. beauty salon, reducing salon

All other land uses, including other commercial retail and services, office, and residential land uses would not be permitted in downtown. The general types of commercial uses not permitted under this alternative would include, but not be limited to, the following:

1. Uses not conducive to the entertainment/recreational downtown character under this alternative, e.g. professional offices, blueprinting shops
2. Land-intensive uses, e.g. lumberyards, boat sales
3. Uses potentially detrimental to a family environment and/or moral standards, e.g. adult uses, billiard halls
4. Uses that would detract from the visual quality of downtown, e.g. mini-storage facilities, tire stores
5. Restricted accessibility/members-only uses, e.g. trade schools, private clubs

Existing nonconforming land uses would be legal nonconforming uses which could continue indefinitely, unless the use is discontinued for 90 or more consecutive days, but could not be enlarged or intensified.

VI. Potential Environmental Impacts

Traffic/Circulation - A new downtown land use designation which specifically limits permitted uses to entertainment and recreational activities could potentially result in greater traffic volumes, particularly along Hermosa Avenue, Pier Avenue, and Pacific Coast Highway. The number of additional vehicles generated by this alternative depends upon how successfully downtown businesses can attract new patrons. Since the permitted land uses under this alternative primarily involve restaurants and casual/luxury retail items (apparel, gifts, hobbies, jewelry), it is anticipated that the greatest traffic impacts would occur on weekends, primarily Friday and Saturday nights.

The City's 1990 Circulation Element reports that nearly all downtown signalized intersections are operating at Level of Service (LOS) A during both AM and PM peak hours, except the AM peak hour traffic at the intersection of Hermosa and Pier Avenues which operates at LOS B with a volume/capacity ratio of 0.62. Since LOS D (volume/capacity ratio of 0.80-0.89) is the level traffic engineers typically associate with peak period circulation system design and therefore the lowest acceptable LOS for an urban area, a LOS rating between A and C indicates excess capacity on these intersections. The only unacceptably congested intersections identified in the Circulation Element (LOS E and F) are along Pacific Coast Highway (PCH): LOS F during PM peak hour at the PCH/Artesia Boulevard intersection; LOS F during both the AM and PM peak hours at the PCH/Aviation Boulevard intersection; LOS E during the PM peak hour at the PCH/Eighth Street intersection; LOS E during the PM peak hour at the PCH/Second Street intersection; and LOS E during the AM peak hour at the PCH/Herondo Street intersection. Therefore, the only potentially significant impacts from downtown commercial growth would be along PCH.

Air/Noise - Any increases in traffic volumes would result in greater vehicular air and noise impacts. While downtown's beachfront location would allow ocean breezes to effectively dilute additional emissions, the potential for increases in traffic and pedestrian volumes could result in higher noise levels, particularly on weekend nights. Any increased traffic volume levels elsewhere in the City, particularly along PCH, resulting from downtown commercial growth would also result in increased air and noise impacts.

Although the Hawthorne and Lennox air quality monitoring stations, the closest stations to the City, report air pollutant levels that occasionally exceed Federal and State standards (particularly carbon monoxide), these air pollutant levels are not representative of the City's ocean location away from freeways and airports. Due to this locational advantage, the City generally experiences better air quality than most of the South Bay.

Based on noise measurements conducted near the City Maintenance Yard, the Final EIR on oil exploration and production for this site concluded that the noise levels measured in the vicinity are "fairly representative of normal urban residential communities where the existing noise is comprised of local traffic and general residential nighttime noise sources" (Final EIR, Volume II, p. 57). Any incremental increases in noise levels are therefore not anticipated to be significantly adverse.

Public Services/Utilities - If the downtown is successful in attracting new commercial enterprises and reinvesting/upgrading existing businesses under this alternative, there could potentially be an increased demand in the downtown for some public services (police, fire) and all public utilities (water, sewer, solid waste, drainage).

There is no accurate method of estimating the additional demand for police services that could potentially result from downtown growth, since the provision of additional police services is dependent upon numerous variables such as the number of businesses with alcohol licenses, the hours of operation, the layout and intensity of new construction, and the time of day and season of the year. Under maximum build-out it could be anticipated that downtown growth could result in a need for a regular dedication of two full-time officers and a patrol car or even the establishment of a downtown police sub-station, staffed by a minimum of a commander, two officers per shift, and at least two support personnel.

Any potential increases in demand fire protection services could be adequately accommodated by the existing Pier Avenue Fire Station, although the same type of factors that may influence the demand for police services could also influence the demand for additional fire personnel.

Growth in the demand for public utilities resulting from potential downtown growth should be offset by the accompanying increase in sales, property and utility tax revenues.

Population/Housing - Any future downtown development under this alternative would involve the expansion or establishment of commercial enterprises and possibly the loss of existing dwelling units. A 1990 survey conducted by Planning Department staff indicates that there are presently a total of 77 dwelling units in the downtown area. Using the 1990 Census average of 1.98 persons per occupied housing unit in the City, future commercial development could potentially result in the displacement of up to 152 residents.

Earth - It is assumed under this alternative that any future developments would not involve any underground construction for parking garages or basements. Therefore, any potential soil or ground surface disruptions would be limited to grading activities during the initial constructions phases.

Water - Since the downtown is a fully urbanized area characterized by impervious surfaces, except for a few vacant parcels along the Strand, any future construction/improvements would not significantly alter current absorption rates, drainage patterns or the rate and amount of surface runoff.

Aesthetics/Recreation - Future downtown construction/improvements would be in conformance with the City's development standards and would therefore not obstruct any scenic vistas or public views beyond what is presently permitted under current commercial zoning standards. Any future commercial development would also not impact public beach access.

Historic/Cultural Resources - Since the downtown is a fully urbanized area with no designated prehistoric or historic archaeological sites, structures, buildings, or objects, it is not anticipated that any future development would have any impacts on cultural resources. The only downtown buildings of local historic significance, which includes the Bijou Theater, the Pier Hotel building, and the Bank of America building, are all commercial structures that could be retained in their present uses or converted to other commercial uses permitted under this alternative. While these structures do have local historic significance, none are designated historic landmarks.

VII. Fiscal Impacts

This alternative could result in greater sales tax revenues if the City is successful in attracting more retail establishments to downtown, particularly retail uses that typically have high sales volumes per square foot of floor space, e.g. upscale restaurants, jewelry stores. Any new property investment/upgrading would also result in greater property tax revenues, which would be highly desirable to the City since it receives a relatively high proportion (24%) of the basic 1% property tax levy. The assessed value of many downtown commercial properties are mostly the land value rather than the improvement value, due to downtown's beachfront location and the advanced age that characterizes many downtown commercial structures. New downtown commercial enterprises would also increase business license revenues to the City.

VIII. Potential Coastal Commission Reaction

Since this alternative seeks to specifically limit permitted uses in the downtown to commercial uses considered entertainment-oriented or recreational in nature, this alternative would be consistent with the Coastal Commission policy that "the use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development" (Section 30222, California Coastal Act of 1976). Although the Coastal Act does not specifically define "visitor-serving commercial recreational facilities," the land

uses permitted under this alternative generally fit this description.

IX. Relationship to R/UDAT

The emphasis on commercial recreational land uses under this alternative could potentially compliment the R/UDAT program downtown revitalization efforts. Recommendations from the R/UDAT team involves such issues as overall downtown design features and marketing strategies, which are all an attempt to attract new businesses and shoppers into downtown. Likewise, the intent of this alternative is also to attract outside visitors into downtown by limiting permitted land uses to activities that are considered entertaining or recreational in nature, such as restaurant dining and casual shopping for non-essential items, e.g. gifts, jewelry, special occasion clothing.

X. Implementation

This alternative would establish a new downtown land use designation with a more restrictive permitted use list. Simply limiting the permitted use list to focus on entertainment-oriented businesses without any concomitant promotional/marketing activities by the City or Chamber of Commerce would leave the success of this alternative solely dependent upon market forces. The current lack of market demand for downtown commercial space and the statewide recession make it unlikely that this scenario could induce noticeable improvement in the short term period (within the next five years). Progress would probably be slow and gradual over the next twenty years.

GOAL

- A. Create distinctive image of downtown as a beachfront "entertainment/restaurant row" oriented towards the regional market.

OBJECTIVES

- A. Replace deficient commercial structures throughout downtown.
- B. Increase downtown sales tax revenues by encouraging commercial enterprises with high sales volumes.
- C. Encourage commercial enterprises that will offer greater employment opportunities.
- D. Encourage property upgrading and new investments in downtown.

POLICIES

- A. All future proposed land uses must be consistent with the permitted uses for this new Downtown Commercial land use designation.

- B. Property owners shall not construct any improvements or expansions to existing nonconforming structures or uses.
- C. Property owners shall not construct any new nonconforming structures or initiate any new nonconforming uses in downtown.
- D. Existing nonconforming land uses and structures would be subject to an amortization program (optional).
- E. No extensions on the amortization period for nonconforming structures or uses shall be granted, except in cases of extreme hardship (optional).

PROGRAMS

- A. Revise General Plan Land Use Map and zoning map to reflect land use changes.
- B. Revise General Plan and zoning ordinance standards for the new downtown Commercial Recreation zone.
- C. Review all future downtown land use proposals for consistency with new land use standards.
- D. Monitor amortization program for specified nonconforming land uses (optional).

p/comrec

LOCAL RESIDENT-SERVING COMMERCIAL ALTERNATIVE

I. General/Purpose

This alternative would create a new commercial land use designation, Downtown Commercial, that is specifically intended to serve the shopping and employment needs of local residents. While regional-serving commercial uses, e.g. live entertainment, would also be permitted, the emphasis of this alternative is to encourage those commercial retail and service enterprises that cater to local consumer demands and discourage other uses.

II. Potential Advantages

1. Opportunity to increase sales tax revenues by focusing on specific, built-in market
2. Local resident-serving retail establishments would be less likely to attract outside patrons who produce public service demands without contributing to the costs of such services, e.g. police calls
3. Local resident shoppers tend to be a more stable, year-round, long-term group in terms of consumption patterns than beach visitors and other outside groups

III. Potential Disadvantages

1. Concentration on local shopping needs could forego opportunities to establish new regionally-oriented entertainment establishments
2. Local residents may represent too small a consumer group to make this alternative economically viable
3. The type of retail establishments targeted in this alternative, e.g. household goods, personal services, would directly compete with regional malls and shopping centers located throughout the South Bay

IV. Permitted Land Uses

Under this alternative, a wide variety of commercial retail and service establishments would be permitted in the downtown. Establishments that primarily serve local shopping needs would be given priority consideration. The general types of permitted uses are listed below:

Priority Uses (permitted "use by right")

1. Apparel goods and services; e.g. clothing stores, drycleaning shops
2. Personal services, e.g. barber shops, beauty salons

3. Housewares, e.g. appliances, hardware stores
4. Household goods, e.g. furniture stores, mattresses stores
5. Health goods and services, e.g. drug stores, clinics
6. Foods for off-premise preparation and consumption, e.g. supermarkets, convenience stores
7. Hobby, e.g. arts & crafts stores, musical instruments
8. Sporting goods, e.g. tackle/bait stores, bicycle shops

Secondary Uses (requires conditional use permit)

1. Entertainment, e.g. movie theaters, nightclubs
2. Alcohol establishments, e.g. liquor stores, nightclubs
3. Food prepared on-premise, e.g. restaurants, delicatessens
4. Medical, dental, legal and other professional offices

V. Specific Land Uses Not Permitted

All other land uses, e.g. residential, would be prohibited in downtown. Existing nonconforming uses would be legal nonconforming uses subject to an amortization program (optional). The general types of commercial land uses not permitted in this alternative would include, but not be limited to, the following:

1. Uses not conducive to the shopping district character of downtown under this alternative, e.g. mini-storage facilities, animal hospitals
2. Land-intensive uses, e.g. convention halls, auto body and fender shops
3. Uses potentially detrimental to a family environment and/or moral standards, e.g. massage parlors, bathhouses
4. Uses that would detract from the visual quality of downtown, e.g. service stations, auto repair shops
5. Restricted accessibility/members-only uses, e.g. business schools, private clubs
6. Tourist attractions, e.g. special events, concerts

VI. Potential Environmental Impacts

Traffic/Circulation - A downtown commercial district that primarily serves the shopping needs of local residents result in fewer daily vehicle trips than a regional-oriented commercial

district. Some local shoppers could be expected to walk rather than drive to take advantage of downtown's close proximity and beachfront location. Furthermore, many of the vehicle trips would be local in origin, minimizing the downtown-generated traffic volumes on surrounding arterials. A local resident-serving downtown could therefore result in lower traffic volumes, less parking demand, and greater pedestrian volumes.

Air/Noise - The local resident orientation of this alternative may result in lower traffic volumes than present levels. Pedestrian activity, which would shift from regional visitors to local shoppers, would probably not change significantly during daytime hours. However, the focus away from evening entertainment activities could reduce evening pedestrian noise impacts.

Public Services/Utilities - Since it is anticipated that downtown under this alternative would attract fewer outside patrons that produce public service demands, there would be less impacts on the provision of public services, e.g. police, fire, than under existing downtown conditions. Demands on public utilities, e.g. water, sewer, solid waste, should not change significantly with the shift in retail emphasis towards local demands.

Population/Housing - A change in the type of downtown retail establishments would not necessarily have a direct impact on the City's population and housing stock. However, the convenience of a local shopping district within walking distance could influence some residential location decisions.

Other Environmental Impacts - No other environmental impacts are anticipated due to an emphasis in local resident-serving retail enterprises under this alternative.

VII. Fiscal Impacts

Since this alternative could result in fewer outside patrons who produce public service demands without paying for the cost of such demands, this alternative could result in less general fund expenditures. Impacts to other sources of City revenues, e.g. sales tax, property tax, business license fees, are largely dependent upon the success of this alternative in attracting local shoppers to downtown.

VIII. Potential Coastal Commission Reaction

The emphasis on local shoppers could be opposed by the Commission on the grounds that this alternative would discourage visitor-serving commercial recreational facilities. It is the Commission's general policy that "the use of private lands suitable for visitor-serving commercial recreational facilities shall have priority over ... general commercial development" (Section 30222, California Coastal Act of 1976). Potential Commission opposition could be avoided if it could be shown that an emphasis on local resident-serving retail uses would result in

a healthier downtown economy without any negative effects to existing beach access or recreational facilities.

IX. Relationship to R/UDAT

The local shopper orientation of this alternative is consistent with the goals of the Regional/Urban Design Assistance Team (R/UDAT) downtown revitalization strategy, since the intent of both efforts is to improve the downtown economy. While the R/UDAT focus on downtown design issues would be typically associated with attracting shoppers from outside the immediate community, a visually enhanced downtown could also similarly generate increased local shopper demands.

X. Implementation

While the intention of this alternative is to encourage retail businesses that would primarily cater to the needs of local residents, regional visitor-serving businesses, e.g. nightclubs, would not be prohibited from the downtown. Without any accompanying promotional/marketing activities by the City or Chamber of Commerce, the successful implementation of this alternative would be solely dependent upon market forces. However, unlike the Commercial Recreation Land Use Alternative which has the more ambitious goal of attracting consumers from outside the community, this alternative simply seeks to capitalize on the "built-in" local market. While success is still primarily dependent on market conditions largely outside the control of local officials, the probability of attracting community-oriented businesses is greater than regional-serving establishments. This is due to factors such as lower start-up costs and a better defined market demand for local community enterprises. The need to define local market niches and the current statewide recession will limit potential downtown growth to a slow and gradual long term process.

GOAL

- A. Establish a downtown shopping district oriented towards the needs of local residents.

OBJECTIVES

- A. Increase sales tax revenues by focusing on local "built-in" market demand.
- B. Increase retail employment opportunities for nearby residents.
- C. Encourage property upgrading and new investments in downtown.

POLICIES

- A. All future land uses must be consistent with the permitted uses for this new Downtown Commercial land use designation.

- B. Existing land uses that are deemed to constitute an objectionable use, e.g. transient hotel, could be subject to an amortization program (optional).

PROGRAMS

- A. Revise General Plan Land Use Map and zoning map to reflect land use changes.
- B. Review all future downtown land use proposals for consistency with new land use standards.
- C. Monitor amortization program for specified nonconforming land uses (optional).

p/locscen

RESIDENTIAL ALTERNATIVE

I. General/Purpose

This alternative would change the land use designation of all commercial downtown properties to HD High Density Residential. All existing commercial land uses would become legal nonconforming uses subject to a specific amortization period.

This alternative is based on the assumption that any revitalization efforts for the commercial retail base of downtown would have a low probability of success. The local retail market has already been saturated by commercial centers in other surrounding municipalities, including: the upscale downtown Manhattan Beach shopping district; the Manhattan Village shopping center; the King Harbor and Fisherman's Wharf restaurant/nightclub complex; the Del Amo Fashion Center; and the South Bay Galleria. The downtown is also geographically removed from freeway access and lacks a surrounding consumer base (shoppers can only come from three directions due to coastal location). Given these built-in competitive and locational disadvantages, downtown consumer demand will continue to be limited to local residents and seasonal beach visitors.

The High Density Residential land use designation allows uses permitted under the R-3 zoning standards. This zoning designation also permits all residential uses under the R-1 and R-2 zoning districts, therefore allowing the greatest possible range of residential developments. Due to the high land values in Hermosa Beach, developers would be more likely to construct upscale condominiums rather than other types of more affordable housing.

II. Potential Advantages

1. New residential construction and property improvement/upgrading would result in greater property tax revenues
2. Conversion of downtown nightclubs and taverns to residential uses would reduce downtown crime rates
3. Elimination of downtown taverns and public areas removes incentive for transients to utilize beachfront areas
4. Removal of marginal businesses with low sales tax revenue and high turnover rates
5. Increase in residential properties would help the City meet its share of the SCAG Regional Housing Needs

III. Potential Disadvantages

1. Permanent loss of unique beachfront retail district

2. Loss of sales and business license tax revenues
3. Displacement of existing downtown retailers and residents through property conversions could result in litigation against City
4. Existing marginal downtown businesses may continue indefinitely as legal nonconforming uses while challenging the legality of the amortization process, discouraging potential residential developments
5. Severe opposition from the Chamber of Commerce and other local business organizations which could result in litigation against City
6. Contributes to an "anti-business" image of the City that could drive away businesses located outside of downtown, further reducing sales tax and business license revenues

IV. Existing Downtown Conditions

The existing downtown is predominately characterized by commercial retail and office uses, with the commercial core centered at the intersection of Pier and Hermosa Avenues. However, several commercially zoned blocks west of Hermosa Avenue are characterized by a mix of commercial and residential uses.

V. Future Downtown Conditions

All downtown properties presently in the General Commercial land use designation and subject to the C-2 zoning standards, which includes all commercial properties west of Hermosa Avenue between 8th and 16th Streets and the Pier Avenue corridor west of Valley Drive, would be redesignated High Density Residential and subject to the R-3 zoning standards. This high density designation would be consistent with nearly all existing residential properties adjacent to the downtown commercial properties.

The City would establish an amortization period for all properties with uses that do not conform to the High Density Residential land use standards. Property owners would be prohibited from expanding/improving existing nonconforming structures or constructing new nonconforming structures.

The High Density Residential land use designation allows a maximum of 33 dwelling units per acre. The existing downtown commercial properties, which total 17.4 acres, could therefore support up to 574 units.

VI. Potential Environmental Impacts

Traffic/Circulation - As existing retail uses are replaced by more potentially land intensive residential structures, there could be a significant increase in traffic volumes throughout downtown. On a worst-case basis of two commuters per unit, it is assumed that each residential unit would produce 4 trips on a

weekday and 6 trips on a weekend day (trip is defined as a single or one-direction vehicle movement with either the origin or destination within a specific study area). Since full build-out under the High Density Residential standards would result in approximately 574 dwelling units, this alternative could generate approximately 2,296 Average Daily Trips (ADT) on a weekday and 3,444 ADT on a weekend day. It is estimated that the existing downtown commercial and residential uses (not including ADT generated solely for beach recreation purposes) generate a combined total of 1,343 weekday ADT and 2,186 weekend ADT. Therefore, this alternative would result in a 71% increase in weekday ADT and a 58% increase in weekend ADT. Although downtown intersections currently have considerable excess capacity, commuter patterns could result in unacceptable volume/capacity ratios during AM and PM peak periods.

All required residential parking would be incorporated into the respective structures. Due to the loss of on-street diagonal parking spaces along Pier Avenue with the loss of retailers, there could be significant adverse parking impacts for future beach visitors.

Air/Noise - Potential traffic congestion from residential commuting patterns could result in significant adverse air and noise impacts from vehicular emissions during AM and PM peak periods. The loss of downtown shoppers, and possibly beach visitors, would significantly reduce daytime and weekend vehicular air impacts as well as pedestrian and vehicular noise impacts. The loss of downtown restaurants, nightclubs and taverns would significantly reduce late evening pedestrian and vehicular noise impacts.

Public Services/Utilities - There would be a reduced demand for police services with the elimination of downtown nightclubs and taverns. The conversion of commercial properties to residential uses is not anticipated to significantly change the demand for fire protection services. The new residential population would create significant demand impacts on school, library, and health care services. The residential properties would also create significant demand impacts on some utility systems, particularly water and sewer facilities. Appropriate utility tax fee increases may be necessary to fully cover the municipal costs of meeting this additional demand.

Population/Housing - Assuming full build-out under the High Density Residential standards (maximum 33 dwelling units per acre), the downtown properties could support a maximum of 574 units in the total 17.4 acre area. Applying the 1990 Census average of 1.98 persons per occupied housing unit in the City, future residential development under build-out could accommodate approximately 1,137 residents. These new residents would represent approximately 6% of the total City population of 18,219 as reported in the 1980 Census.

Earth - Since it is not anticipated that future residential developments will include parking garages or basements, all soil

and ground surface disruptions would be limited to grading activities during the initial construction phases and would therefore be considered less than significant. With the increased resident population by the beachfront, there would be an increased exposure of people to the risk of geologic hazards such as liquefaction or ground failure from seismic activities.

Water - Drainage patterns could be altered and the rate and amount of surface runoff could be reduced with the construction of new residential developments which include lawns and landscaped areas to replace commercial developments that are entirely made up of impervious surfaces. The increased beachfront resident population would increase the potential exposure of people to water-related hazards such as flooding or tidal waves.

Aesthetics/Recreation - Maximum residential development under the R-3 standards could potentially result in 35 foot high structures, which would be five feet more than the maximum permitted height in the C-2 zone. Conversion of the downtown to residential properties could therefore result in more significant impacts to scenic views from surrounding properties. If future residential development involved the elimination of any existing public parking lot spaces, there would be significant adverse impacts to beach visitors.

Historic/Cultural Resources - Residential conversion of the downtown would result in the demolition of all commercial structures of local historic significance. Although none of the downtown commercial structures are included on the National Register of Historic Places or the State Office of Historic Preservation lists (State Historic Landmarks and Points of Historic Interest), several downtown properties have been identified by local historians as potentially significant sites. These structures and properties include the Bijou Theater at 1229 Hermosa Avenue, the 1200 Hermosa Avenue building at the northeast corner of Hermosa and Pier Avenues, the Hermosa Hotel building at 29 Pier Avenue, the Bank of America building at 90 Pier Avenue, the west side of Loreto Plaza (49-53 Pier Avenue) - the former site of the Insomniac Lounge, the Lighthouse Cafe at 30 Pier Avenue, and the hotel building at 840 Strand.

VII. Fiscal Impacts

The elimination of all commercial enterprises in the downtown area would mean a \$250,000-300,000 loss in sales tax revenues annually (based on 1989-1991 sales tax receipts), which represents approximately 15-18% of total sales tax revenues for the 1990-1991 fiscal year. There would also be a loss in business license revenues of less than \$65,000 annually, which represents approximately 14% of total City business license revenues.

The conversion of downtown properties to residential uses would result in a significant net increase in property tax revenues, since many downtown structures are relatively old and shown

various signs of deferred maintenance. Due to condition of many downtown commercial structures and the beachfront location, most of the present value of downtown property is the land value rather than the improvement value. Assuming that all downtown properties are fully developed to maximum potential under the High Density Residential standards (maximum 33 dwelling units per acre) would result in a total of 574 units in the 17.4 acre downtown area. Applying the 1990 Census median value of \$431,000 for owner-occupied units, the total assessed value under maximum residential build-out would be \$247,394,000. The City's share of the basic 1% property tax levy, which is \$0.24 for every dollar of tax revenue, would amount to approximately \$593,746 in property tax receipts annually.

VIII. Potential Coastal Commission Reaction

The conversion of downtown from a predominately commercial retail district serving the general public to private residential properties would be opposed by the Coastal Commission on the grounds that such a land use redesignation would limit public access to the City's coastal areas. The potential loss of any public parking space would be strongly opposed by the Commission and probably challenged in court.

IX. Relationship to R/UDAT

The elimination of commercial properties in the downtown would be a direct contradiction of the Hermosa Beach Downtown Revitalization Committee's participation in the national Regional/Urban Design Assistance Team (R/UDAT) program. The intent of the R/UDAT program is to rejuvenate the downtown retail district. Conversion of the downtown commercial properties to residential uses would defeat the purpose of R/UDAT.

X. Implementation

The successful implementation of this alternative is dependent upon the City's vigorous enforcement of the amortization program and the attractiveness of downtown to the residential development market. The most significant obstacle would come from the Chamber of Commerce and downtown business-owners, who would be expected to mount considerable opposition to any proposal to reduce downtown commercial space. While the current recession could have limiting effects on potential residential development through the next year, the continual popularity of beachfront housing will provide long term development incentives.

GOAL

- A. Convert the downtown commercial district into a residential neighborhood.

OBJECTIVES

- A. Encourage new residential construction and provide new housing opportunities throughout downtown.

B. Increase property tax revenues.

POLICIES

- A. Property owners shall not construct any improvements or expansions to nonconforming commercial structures in downtown.
- B. Property owners shall not undertake any new commercial developments in downtown.
- C. Property owners shall be required to remove all nonconforming structures within the amortization period (optional).
- D. No extensions on the amortization period for nonconforming commercial uses shall be granted, except in cases of extreme hardship only (optional).

PROGRAMS

- A. Revise General Plan Land Use Map and zoning map to reflect land use changes.
- B. Review all future residential development proposals for downtown.
- C. Monitor amortization periods for all nonconforming commercial uses in downtown (optional).

pc/alt9

STATUS QUO ALTERNATIVE

I. General/Purpose

This alternative would not change any land use designation in or around the downtown commercial district. The future of downtown would be generally dependent upon market conditions with little public sector intervention.

Potential Advantage

II. Potential Disadvantages

1. The present downtown land use conditions are unlikely to improve by market forces alone, e.g. property underutilization, marginal retail businesses, high business turnover rates, mixed/incompatible uses, and alcohol-related police calls
2. The unaddressed underutilization of downtown represents lost opportunities to generate more sales, property and business license tax revenues

III. Potential Environmental Impacts

Since this alternative involves no changes to the existing land use designations in downtown, this is the same as the No Project Alternative under the California Environmental Quality Act (CEQA). Therefore, no significant change in current conditions and/or potential impacts would occur under this alternative.

IV. Fiscal Impacts

There would no direct fiscal impacts under this alternative since no actions are being undertaken. The downtown commercial district may or may not continue to experience the depressed economic conditions that have prevailed for the last few decades. From this perspective, taking no action to address the existing underutilized properties in downtown could result in foregoing the potential sales, business license and/or property tax revenues that could accrue to the City if changes in land use designations were instituted that could create the potential environment for economic and social revitalization. Therefore, this alternative could indirectly have an adverse fiscal impact on the City.

V. Potential Coastal Commission Reaction

Since no actions are being taken by the City, there would be no need for Coastal Commission input.

VI. Relationship to R/UDAT

This alternative would allow the Regional/Urban Design Assistance Team (R/UDAT) program implementation to be undertaken without the City initiating any land use changes which could alter or negate the intended results of the R/UDAT recommendations. This alternative would therefore have no effect on the R/UDAT program.

VII. Implementation

The downtown commercial district would continue to operate unimpeded by potential land use changes or amortization programs. The success or failure of this commercial district would be wholly dependent upon consumer demand and other market forces.

GOAL

- A. Retain existing land use designation and permitted uses in downtown district.

OBJECTIVES

- A. No disruption of existing downtown land uses.
- B. No potential controversy from opponents to land use changes.

POLICIES

- A. No new policies needed for continuation of existing conditions.

PROGRAMS

- A. No new programs needed.

p/statusqu

APPENDICES

APPENDIX A

STATISTICAL ANALYSIS GENERAL PLAN DESIGNATIONS

A. RESIDENTIAL

1. HD - High Density Residential

- a. Total Acres = 4263705 or 97.88 acres
- b. Maximum Units per Acre = 33du/ac
- c. Existing number of units = 3706
- d. Estimated existing population = 7338
- e. Additional Number of units under buildout = 240
- f. Additional Population under buildout = 475

2. MD - Medium Density Residential

- a. Total Acres = 4941310 or 113.44 acres
- b. Maximum Units per Acre = 25 du/ac
- c. Existing number of units= 2502
- d. Estimated existing population = 4954
- e. Additional Number of units under buildout = 221
- f. Additional Population under buildout =438

3. LD - Low Density Residential

- a. Total Acres = 10455901 or 240.03 acres
- b. Maximum Units per Acre = 13 du/ac
- c. Existing number of units= 2894
- d. Estimated existing population = 5730
- e. Additional Number of units under buildout =109
- f. Additional Population under buildout = 216

4. MHP - Mobile Home Park

- a. Total Acres = 182665 or 4.19 acres
- * b. Maximum Units per Acre = N/A
- c. Existing number of units = 62
- d. Additional Estimated existing population= N/A
- f. Additional Population under buildout = N/A

5. SPA (Residential)- Specific Plan Area.

- a. Total Acres= 47,290 or 1.09 acres
- b. Maximum Units per Acre = 14.7
- c. Existing number of units= 16
- d. Estimated existing population = 32
- e. Additional Number of units under buildout = 1
- f. Additional Population under buildout = 2

B. COMMERCIAL

- 6. NC - Neighborhood Commercial = 98054 sq. ft. or 2.25 acres
- 7. GC - General Commercial = 2068160 sq. ft. or 47.48 acres
- 8. CC - Commercial Corridor = 1522298 sq. ft. or 34.9 acres
- 9. CR - Commercial Recreation = 40889 sq. ft. or .94 acres

C. INDUSTRIAL

- 10. IND - Industrial = acres = 295920 sq. ft. or 6.79 acres

D. OPEN SPACE

- 11. OS - Open Space = 2510435 sq. ft. or 57.63 acres

* See state statute for density standards needs to be addressed in Z.C.

APPENDIX B
Examples of Permitted Use Definitions

The following are possible definitions for some permitted uses not presently defined in the zoning ordinance. Some dual use establishments with dual principal uses will fall under more than one permitted use definition. Some uses, such as the various automobile-related uses listed in the C-3 zone, could be combined into more generalized definitions.

Day nursery, preschool, and/or after school child care with thirteen (13) or more children (taken from Burbank definition) - any child care facility as defined in Section 1596.750 of the California Health and Safety Code for thirteen (13) or more children.

Liquor store (taken from both Inglewood and Long Beach definitions) - any retail business selling distilled spirits (excluding beer and wine only) for off-premise consumption under a Type 21 License of the California Alcoholic Beverage Control Board. Liquor store does not include grocery stores in which less than fifteen percent of the store floor area is utilized for the storage and display of distilled spirits.

Videocassette tape sales and rental (staff suggestion) - a retail establishment involving the sale or rental of new or used videocassette tapes.

Alcoholic beverage establishments, on- and off-sale (staff suggestion) - a retail business offering alcoholic beverages for on-premise consumption under a Type 40 (on-sale beer only), Type 41 (on-sale beer/wine eating place) Type 42 (on-sale beer/wine public premise), Type 47 (on-sale general eating place), or Type 48 (on-sale general public premise) License of the California Alcoholic Beverage Control Board.

Baths, Turkish, Swedish and steam (staff suggestion) - an establishment which provides the services of baths, including all forms and methods of hydrotherapy treatment practiced by, or under the supervision of a medical practitioner, medical doctor, physician, chiropractor or similar professional licensed by the State of California. This definition does not apply to bathhouses in which a regular or substantial portion of the services performed involves the display of specified anatomical areas or the occurrence of specified sexual activities.

Dance academy (taken from West Covina definition) - a commercial enterprise involving the teaching of dancing in any room or building where food or beverages are not served as a normal part of its operation.

Entertainment, live (taken from Inglewood definition) - any performance on the premises by an individual, group of individuals, band or orchestra for purposes of entertaining patrons. Pre-recorded music, juke boxes, dancing by patrons to

same, televised entertainment, pool, billiards or arcade games do not, by themselves, constitute live entertainment.

Entertainment, special performance (taken from Long Beach definition) - a commercial land use which provides the rental of space or equipment on a short-term basis for the purpose of some leisure activity.

Movie theater (taken from Santa Monica definition) - a motion picture theater which shows motion or video pictures and to which admission is free or a fee is charged, received or collected, either by the sale of tickets or by any other means or device by which money or something of value is received or paid therefore.

Music academy (staff suggestion) - a commercial enterprise involving the teaching of music in any room or building where food or beverages are not served as a normal part of its operation.

Musical instruments, retail and repair (staff suggestion) - any establishment that offers for sale or lease new or used musical instruments. This definition also includes any establishment that provides repair services for new or used musical instruments purchased at same establishment or at another location.

Tanning salon (staff suggestion) - an establishment which offers the temporary use of tanning machines or similar apparatus for the purpose of producing a sun-tanned appearance on patrons.

Ticket broker/sales (staff suggestion) - an establishment that offers for sale tickets to sporting events, concerts, live performances, and other similar special events.

AUTOMOTIVE - there are presently 9 separate automobile-related uses listed as conditionally permitted uses in the C-3 zone. Many of these uses, e.g. auto alarm sales, auto audio equipment, auto tops, auto trailers, could all be considered automobile parts and accessories. Furthermore, the auto body/fender repair and auto painting uses could be considered a component of auto repair business. Staff therefore suggests consolidating the 9 existing conditional uses into 4 primary uses: (1) Automobile agency, new or used car sales; (2) Automobile rental business; (3) Automobile repair business; and (4) Automobile parts and accessories business.

Automobile agency, new or used car sales (taken from Santa Monica definition) - any establishment which sells or provides long-term (over 30 days) leases for new or used automobiles, trucks, vans, trailers, recreational vehicles, or similar motorized transportation vehicles. An automobile agency may maintain an inventory of the vehicles for sale or long-term lease either on-site or at a nearby location and may provide on-site facilities for the repair and service of the vehicles sold or leased by the agency.

Automobile rental business (taken from Santa Monica definition) - any establishment which rents or otherwise provides motorized transportation vehicles on a short-term basis (less than 30 days) and maintains such vehicles on-site or at a nearby location. For the purposes of this definition, rental of trucks exceeding one ton capacity or rental of other heavy equipment shall constitute distinct uses separate from an automobile rental business.

Automobile repair business (taken from Long Beach and Huntington Beach definitions) - any retail and service business engaged in any of the following activities:

A. Minor repair - light repair and sale of goods and services, e.g. automobile batteries. The following repair and maintenance services for motor vehicles constitute minor automobile repair: (1) Tune-ups - major and minor tune-up involving spark plugs, points, condensers, valve adjustment, carburetor overhaul, adjustment of fuel injection systems, fuel pump and all necessary filters; (2) Lubrication - oil changes and filter replacement, transmission and rear end oil change; (3) Cooling system - remove and replace radiator and repair of same; replace water pump, heater and other hoses, replace thermostats, recharge air conditioners; (4) Drive train - replacement of transmission and motor support mounting, replacement of driveshaft universal bearings, center support bushing, accelerator and brake cables, minor repair of hydraulic systems, replacement of shock absorbers; (5) Brakes - remove and replace shoes and brake pads, rebuild master and wheel cylinders and disc caliper, adjustment of brakes, machine work related to turning of drums or discs; (6) Wheels - adjust steering box, replacement of rubber bushings in suspension, wheel balancing, replacement of wheel bearings; (7) Electrical - charge battery, remove, repair and replace starter, alternator, generator and regulator, rewiring of automobile and lights, repair or replacement of gauges, installation of radios; (8) Fuel system - change gas tank, change and repair of fuel lines, replace fuel gauge sending unit, tail pipe and muffler replacement. Minor repair does not include: (1) Cylinder head replacement; (2) Valve grinding or replacement; (3) Clutch replacement; (4) Repair, replace transmission, rear end, rear axles, king pins; (5) Body work; (6) Engine replacement; (7) repair of fuel tank; (8) Radiator or heater core repair or replacement; (9) Painting; (10) Fender repair; (11) Engine or transmission removal; or (12) Repair activities that require entry into the engine other than those specifically listed as approved as minor automobile repair."

B. Major repair - any automobile repair business providing a full range of repair and maintenance services for motor vehicles.

Battery service business - motor vehicle battery sales falls under the Automobile parts and accessories category and battery repair and maintenance is a component of Automobile repair

business. Staff therefore suggests removing this use from the permitted use list.

Boat sales (staff suggestion) - any retail business that sells or leases new or used boats or other similar aquatic transportation vehicles or equipment. This definition includes establishments that may maintain an inventory of boats or similar vehicles or equipment for sale or lease either on-site or at a nearby location any may provide on-site facilities for the repair and service of vehicles or equipment sold or leased by such establishment.

Car wash (taken from Burbank and Santa Monica definitions) - any building, structure, improvement or land used for cleaning automobiles or other vehicles that includes, but is not limited to the following: interior cleaning; exterior handwashing, machine washing, waxing or polishing; or engine steam cleaning.

Churches, synagogues, temples and other similar congregations (taken from Long Beach and West Hollywood definitions) - an institutional land use providing facilities for worship or the assemblage of the public for worship. Accessory uses include personal counseling, educational and social activities and also the building or buildings where such activities take place. This definition includes cathedral, mosque, shrine, synagogue or temple, and other religious worship places.

Circus or carnival, temporary (staff suggestion) - any special performance for the purpose of public entertainment which takes place in a large temporary arena location and which includes one or more of the following: mechanical amusement rides; and the exhibition of a variety of shows, including feats of physical skill, wild animal acts, and clown performances.

Convention hall (taken from West Hollywood definition) - an enclosed building or structure used for public assembly and/or entertainment. This definitions includes auditoriums.

Fortune tellers, psychics, and astrologers (taken from Long Beach and West Hollywood definitions) - the practice or carrying out of any art, profession or business which shall include, but not be limited to, the telling of fortunes, forecasting of futures, or furnishing of any information not otherwise obtainable by the ordinary process of knowledge that may or may not be performed for financial or other valuable consideration. This definition shall include, but not be limited to, psychic reading, occult reading, clairvoyance, clairauidience, cartomancy, psychometry, phrenology, spirits, mediumship, seership, prophecy, augury, astrology, palmistry, necromancy, mindreading, tarot card readings, tea leaves, telepathy, or other craft, art, science, cards, talismans, charms, potions, magnetism, magnetized article or substance, gypsy cunning or foresight, crystal gazing, and crystal reading of any kind or nature. This definition does not include forecasting based on historical trends or patterns, religious or political dogma, or any of the previously listed arts when presented in an assembly of people who purchase tickets

or means in exchange for the presentation at a site licensed for entertainment land uses.

Horticultural nurseries (taken from Huntington Beach definition) - any commercial enterprise involving the growing of fruits, vegetables, flowers, vines, trees, or field crops for wholesale or retail purposes.

Hospital, general, psychiatric out-patient only (taken from Carson, Commerce and Long Beach definitions) - a facility licensed by the State Department of Public Health with a duly constituted governing body with overall administrative and professional responsibility and an organized medical staff which provides 24-hour, in-patient care, including, but not limited to, medical, nursing, surgical, obstetric, laboratory, radiology, pharmacy and dietary services. Mental health care is limited to psychiatric out-patient services only. This definition does not include mental hospitals.

Motorcycle parts and accessories (staff suggestion) - an establishment which offers the sale or installation of various motorcycle parts or accessories. Motorcycle is defined as a two-wheeled or three-wheeled motor vehicle, generally with a saddle seat and a handlebar steering device, including, but not limited to, mopeds and sidecars.

Motorcycle repair - (taken from Santa Monica "automobile repair facility" and Long Beach "motorcycle" definitions) - Any building, structure, improvements or land used for the repair and maintenance of motorcycles or similar motorized vehicles. Motorcycle is defined as a two-wheeled or three-wheeled motor vehicle, generally with a saddle seat and a handlebar steering device, including, but not limited to, mopeds and sidecars.

Motorcycle sales (taken from Santa Monica "automobile dealership" and Long Beach "motorcycle" definitions) - any business establishment which sells or leases new or used motorcycles or similar motorized transportation vehicles. A motorcycle dealership may maintain an inventory of vehicles for sale or lease either on-site or at a nearby location and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership. Motorcycle is defined as a two-wheeled or three-wheeled motor vehicle, generally with a saddle seat and a handlebar steering device, including, but not limited to, mopeds and sidecars.

Radio and television stations (taken from West Hollywood "wireless transmission facilities" definition) - any commercial establishment involving the operation of radio or television sending and/or receiving devices.

Service stations (taken from the Burbank and Hawthorne definitions) - an establishment limited to the retail sales of petroleum products; automobile washing by hand without use of mechanical equipment; waxing and polishing of automobiles; tire changing and repairing (excluding recapping); sale and

installation of lubricating oil; sale and installation of windshield wipers; battery service and charging (excluding battery repair and rebuilding); and radiator cleaning flushing (excluding steam cleaning and repairing). Service station does not include any of the activities included in the "Automobile repair business" definition.

Sound score production facility (staff suggestion) - any establishment involving the rehearsing, recording, mixing, and any other similar form of sound reproduction.

Surfboard sales and manufacturing (staff suggestion) - any establishment that sells, leases or repairs new or used surfboards and/or manufactures surfboards.

Tire shop - (taken from Long Beach definition) - a commercial establishment where the sale, installation or storage of new or used or retread tires and tubes is conducted with or without other products or services. Tire shop does not include a business involved in the retreading, recapping or rebuilding of tires using previously processed rubber or synthetic products.

Trade school (taken from Burbank definition) - an institution offering instruction in a trade or vocation that is not of an academic or professional nature.

Truck sales (taken from Santa Monica "automobile dealership" definition) - any business establishment which sells or leases new or used trucks or similar transportation vehicles. This definition includes any establishment that may maintain an inventory of the vehicles for sale or lease either on-sale or at a nearby location and may provide on-site facilities for the repair and service of the vehicles sold or leased by such establishment.

Cabinet shops, carpenter shops, furniture manufacturing (staff suggestion) - any establishment that assembles any type of furnishings or storage facilities for sale to a retail enterprise.

Machine shop (staff suggestion) - any establishment involved in the welding, boring, polishing, grinding or similar assembly, manipulation, or alteration of any type of metal component.

Oil and gas development (staff suggestion) - any enterprise or activity involving the extraction of fossil fuels from the ground.

Plastic fabrication (staff suggestion) - any establishment involved in the manufacturing or assembly of plastic products or plastic components to products.

Sheet metal shops (staff suggestion) - any establishment involved in the assembly or manufacturing of any type of metal products.

APPENDIX C
Hotel and Motel Definitions from other Cities

Hotel (Burbank)

"a building, or portion thereof, containing public guest or dormitory rooms without cooking facilities, used or designed to be used by guests for compensation."

Motel (Burbank)

"one (1) or more buildings with motor vehicle parking space conveniently located near each unit, containing individual sleeping units used temporarily by automobile tourists or transients."

Hotel, Residential (Carson)

"a building containing rooming units and designed for or occupied as a permanent abiding place for persons, with common living facilities, with or without meals. This definition does not include institutions where persons are housed under legal restraint, nor does it include health care facilities or community care facilities."

Hotel, Transient (Carson)

"a building containing rooming units and designed for or occupied as an abiding place for transients. This definition does not include institutions where persons are housed under legal restraint, nor does it include health care facilities or community care facilities."

Motel (Carson)

"a building or group of buildings containing rooming units or dwelling units with automobile parking space provided in connection therewith, and designed, intended to be used or used primarily for the accommodation of transient automobile travelers. This definition shall auto cabins, tourist courts, motor courts, motor lodges and similar type uses. An establishment shall be considered a motel if it is required by the Health and Safety Code of the State of California to obtain the names and addresses of the guests and the make, year, and license number of the vehicle and the State in which the vehicle is registered."

Hotel (Commerce)

"a building with six or more guest rooms or suites designed for and occupied by persons as temporary dwelling areas. Meals may or may not be provided. Separate cooking facilities may be provided for two rooms or five percent of the total rooms or suites whichever may be greater. Hotel includes motels, auto cabins, or similar structures but does not include jails, hospitals, asylums, sanitariums, orphanages, prisons, detention homes or other buildings where individuals are housed or detained under legal restraint."

Hotel (Culver City)

"a building designed for occupancy as the more or less temporary

abiding place of individuals who are lodged with or without meals, in which there are six (6) or more guest rooms, and in which no provision is made for cooking in any individual room or suite."

Hotel (El Segundo)
similar to Commerce definition

Motel (El Segundo)
similar to Carson definition

Hotel (Gardena)
"any building or portion of any building with access provided through a common entrance, lobby or hallway to six (6) or more guest rooms, and which rooms are designed, intended to be used, or are used, rented, or hired out as accommodations for guests."

Motel (Gardena)
"a group of attached or detached buildings containing guest rooms or sleeping rooms, some or all of which have a separate entrance leading directly from the outside of the building with garage attached or automobile parking space conveniently located on the lot or parcel of land, and which is designed, used or intended to be used for the accommodation of automobile travelers or tourists. Motels shall include motor inns, motor lodges, auto courts, tourist courts, and similar designations."

Hotel (Hawthorne)
"a building in which there are six or more guest rooms where lodging with or without meals is provided for compensation and where no provision is made for cooking in any individual room or suite, and in which building may be included an apartment for use of the resident manager, but the term "hotel" shall not include jails, hospitals, asylums, sanitariums, orphanages, prisons, detention homes and similar buildings where human beings are housed or detained under legal restraint."

Motel (Hawthorne)
"a group of attached or detached buildings containing individual sleeping units where a majority of such units open individually and directly to the outside, and where a garage is attached or a parking space is conveniently located to each unit, all for the temporary use by automobile tourist or transients, and such word shall include tourist courts, motor courts, automobile court, automobile camp and motor lodges. An establishment shall be considered a motel when it is required by the Health and Safety Code of the state to obtain the name and address of the guests, the make and the license number of the vehicle and the state in which it was issued. A unit in a motel having kitchen facilities shall constitute a dwelling unit and shall be subject to all of the provisions and requirements of this title governing dwelling units for the zone in which the establishment is located, but never less than the requirement of the heaviest multiple residential classification."

Hotel (Huntington Beach)

"a building designed for or occupied as a temporary abiding place for individuals who are lodged with or without meals in which there are six (6) or more guest rooms and in which no provision for cooking is made in any individual suite."

Motel (Huntington Beach)

"a building containing guest rooms designed or used primarily for the accommodation of transient automobile travelers and which has sleeping rooms with direct outside access and conveniently located parking spaces. A maximum twenty-five (25%) percent of such sleeping units may have kitchens."

Hotel (Long Beach)

"a commercial land use for the rental of six or more guest rooms, suites or dwelling units to primarily transient occupants for a period of not more than thirty consecutive days. Motels, tourist homes ... are 'hotels' (also see the definition for "bed and breakfast inn," "inn," and "residential care facility") (about 10% may be permanent residence)"

Inn (Long Beach)

"a commercial land use for the rental of five or fewer guest rooms, suites or dwelling units primarily to transient occupants for a period of not more than thirty consecutive days."

Hotel (Santa Monica)

"a building, group of buildings, or a portion of a building which is designed for or occupied as the temporary lodging place of individuals for less than 30 consecutive days, including, but not limited to, an establishment held out to the public as an apartment, hotel, hostel, inn, time share project, tourist court, or other similar use."

Motel (Santa Monica)

"an establishment providing transient accommodations containing six or more rooms with at least 25% of all rooms having direct access to the outside without the necessity of passing through the main lobby of the building."

Hotel (Torrance)

"a building in which there are six (6) or more guest rooms where lodging with or without meals is provided for compensation, and where no provision is made for cooking in any individual room or suite. Jails, ... under legal restraint are specifically excluded."

Motel (Torrance)

"a building or group of buildings where a minimum of eighty (80) percent of the living units have no kitchen or cooking facilities, but have individual sleeping units, with garage attached or parking space conveniently located to each unit, all for the temporary use by automobile tourists or transient; includes auto courts, tourist courts and motor lodges."

Parking Regulations

Hotel without kitchens (Carson)

One space for each rooming unit, plus two space for each resident employee.

Hotel or motel with kitchen (Carson)

Two space for each unit.

Hotel (Commerce)

One space per guest room or unit, with a 25% compact space where 20 or more spaces are provided.

Motel (Commerce)

One space per sleeping unit and two spaces for dwelling unit of resident manager.

Hotel (Culver City)

One space for each two guest units; provided that any unit rented or leased for more than thirty consecutive days shall be included as a multiple family dwelling unit in determining parking requirements; and additional parking for other components of such use which could generate a simultaneous parking demand as determined by the City.

Motel (Culver City)

One space for each rentable unit without kitchen facilities; and one and one-half space for each rentable unit with kitchen facilities; two spaces for any resident manager's unit; provided that any unit rented or leased for more than thirty consecutive days shall be included as a multiple family dwelling unit in determining parking requirements.

p/hotel

APPENDIX D
SUMMER DOWNTOWN PARKING DEMAND SURVEY

Weekday, Noon

On-street parking:

Hermosa Avenue between 10th and 15th Streets - 90%
Pier Avenue between Strand and Hermosa Avenue - 95%
Pier Avenue between Hermosa and Monterey - 80%
East-west local streets (10th-15th Streets) - 90%

Public parking lots:

Lot A - 25%
Lot B - 30%
Lot C - 80%
Lot D - 40%
Lot F - 60%

Private parking lots - 35%

Weekday, Late Afternoon (4 p.m.)

On-street parking:

Hermosa Avenue between 10th and 15th Streets - 90%
Pier Avenue between Strand and Hermosa Avenue - 90%
Pier Avenue between Hermosa and Monterey - 80%
East-west local streets (10th-15th Streets) - 85%

Public parking lots:

Lot A - 30%
Lot B - 15%
Lot C - 75%
Lot D - 80%
Lot F - 20%

Private parking lots - 40%

Weekday, Evening (9 p.m.)

On-street parking:

Hermosa Avenue between 10th and 15th Streets - 90%
Pier Avenue between Strand and Hermosa Avenue - 95%
Pier Avenue between Hermosa and Monterey - 90%
East-west local streets (10th-15th Streets) - 100%

Public parking lots:

Lot A - 40%
Lot B - 35%
Lot C - 85%

Lot D - 75%
Lot F - 35%

Private parking lots - 60%

Weekend, Noon

On-street parking:

Hermosa Avenue between 10th and 15th Streets - 100%
Pier Avenue between Strand and Hermosa Avenue - 100%
Pier Avenue between Hermosa and Monterey - 90%
East-west local streets (10th-15th Streets) - 100%

Public parking lots:

Lot A - 50%
Lot B - 85%
Lot C - 90%
Lot D - 85%
Lot F - 80%

Private parking lots - 70%

Weekend, Late Afternoon (4 p.m.)

On-street parking:

Hermosa Avenue between 10th and 15th Streets - 100%
Pier Avenue between Strand and Hermosa Avenue - 100%
Pier Avenue between Hermosa and Monterey - 80%
East-west local streets (10th-15th Streets) - 90%

Public parking lots:

Lot A - 60%
Lot B - 70%
Lot C - 75%
Lot D - 70%
Lot F - 66%

Private parking lots - 50%

Weekend, Evening (9 p.m.)

On-street parking:

Hermosa Avenue between 10th and 15th Streets - 95%
Pier Avenue between Strand and Hermosa Avenue - 100%
Pier Avenue between Hermosa and Monterey - 100%
East-west local streets (10th-15th Streets) - 90%

Public parking lots:

Lot A - 70%
Lot B - 80%
Lot C - 100%
Lot D - 85%
Lot F - 20%

Private parking lots - 60%

APPENDIX E

TABLE 1
DOWNTOWN DISTRICT MARKET SURVEY

Transportation Mode				Parking Mode			
<u>Car</u>	<u>Walk</u>	<u>Bus</u>		<u>Public</u>	<u>Private</u>		
58	27	4		51	10		
Distance from Primary Destination				Primary Purpose			
<u>One Block</u>	<u>Two Blocks</u>			<u>Beach</u>	<u>Shop</u>	<u>Work</u>	
37	23			36	41	28	
Number of Visits Per Month				Time of Day			
<u>11 or Less</u>	<u>12 or More</u>			<u>Morning</u>	<u>Afternoon</u>	<u>Evening</u>	
40	46			38	76	14	
Number in Group				Resident			
<u>One</u>	<u>Two</u>	<u>Three</u>	<u>Four</u>	<u>Yes</u>	<u>No</u>	<u>Age Under 35</u>	<u>35 or Over</u>
60	31	8	3	59	53	72	49
Other Districts Used				Most Used Commercial District			
<u>Pier</u>	<u>Aviation</u>	<u>PCH</u>		<u>Downtown</u>	<u>Pier</u>	<u>Aviation</u>	<u>PCH</u>
40	27	37		51	17	7	13

TABLE 2
PIER AVENUE DISTRICT MARKET SURVEY

Transportation Mode				Parking Mode			
<u>Car</u>	<u>Walk</u>	<u>Bus</u>		<u>Public</u>	<u>Private</u>		
26	13	4		25	18		
Distance from Primary Destination				Primary Purpose			
<u>One Block</u>	<u>Two Blocks</u>			<u>Beach</u>	<u>Shop</u>	<u>Work</u>	
31	16			13	19	9	
Number of Visits Per Month				Time of Day			
<u>11 or Less</u>	<u>12 or More</u>			<u>Morning</u>	<u>Afternoon</u>	<u>Evening</u>	
11	22			16	21	7	
Number in Group				Resident		Age	
<u>One</u>	<u>Two</u>	<u>Three</u>	<u>Four</u>	<u>Yes</u>	<u>No</u>	<u>Under 35</u>	<u>35 or Over</u>
33	9	4	1	33	16	22	28
Other Districts Used				Most Used Commercial District			
<u>Downtown</u>	<u>Aviation</u>	<u>PCH</u>		<u>Downtown</u>	<u>Pier</u>	<u>Aviation</u>	<u>PCH</u>
9	7	21		6	11	2	21

TABLE 3
AVIATION BOULEVARD DISTRICT MARKET SURVEY

Transportation Mode				Parking Mode			
<u>Car</u>	<u>Walk</u>	<u>Bus</u>		<u>Public</u>	<u>Private</u>		
13	4	1		4	12		
Distance from Primary Destination				Primary Purpose			
<u>One Block</u>	<u>Two Blocks</u>			<u>Beach</u>	<u>Shop</u>	<u>Work</u>	
14	2			0	14	6	
Number of Visits Per Month				Time of Day			
<u>11 or Less</u>	<u>12 or More</u>			<u>Morning</u>	<u>Afternoon</u>	<u>Evening</u>	
11	5			5	1	3	
Number in Group				Resident			
<u>One</u>	<u>Two</u>	<u>Three</u>	<u>Four</u>	<u>Yes</u>	<u>No</u>	<u>Age Under 35</u>	<u>35 or Over</u>
13	6	1	0	10	10	10	10
Other Districts Used				Most Used Commercial District			
<u>Downtown</u>	<u>Pier</u>	<u>PCH</u>		<u>Downtown</u>	<u>Pier</u>	<u>Aviation</u>	<u>PCH</u>
3	5	4		0	5	3	3

TABLE 4
PACIFIC COAST HIGHWAY DISTRICT MARKET SURVEY

Transportation Mode				Parking Mode			
<u>Car</u>	<u>Walk</u>	<u>Bus</u>		<u>Public</u>	<u>Private</u>		
25	14	6		7	21		
Distance from Primary Destination				Primary Purpose			
<u>One Block</u>	<u>Two Blocks</u>			<u>Beach</u>	<u>Shop</u>	<u>Work</u>	
24	4			9	28	23	
Number of Visits Per Month				Time of Day			
<u>11 or Less</u>	<u>12 or More</u>			<u>Morning</u>	<u>Afternoon</u>	<u>Evening</u>	
19	30			21	21	6	
Number in Group				Resident		Age	
<u>One</u>	<u>Two</u>	<u>Three</u>	<u>Four</u>	<u>Yes</u>	<u>No</u>	<u>Under 35</u>	<u>35 or Over</u>
43	4	4	0	12	40	19	33
Other Districts Used				Most Used Commercial District			
<u>Downtown</u>	<u>Pier</u>	<u>Aviation</u>		<u>Downtown</u>	<u>Pier</u>	<u>Aviation</u>	<u>PCH</u>
25	16	10		7	5	0	31

APPENDIX F
RESIDENTIAL PARKING DEMANDS

The following are vehicle ownership averages obtained from the American Planning Association (APA).

<u>Housing Type</u>	<u>Resident Vehicles per Dwelling Unit</u>
Townhouse, Rental	1.33
Townhouse, Condominium	1.57
Apartment, Rental	1.23
Apartment, Condominium	1.51

<u>Number of Bedrooms</u>	<u>Resident Vehicles per Dwelling Unit</u>
1	1.18
2	1.25
3	1.46

Barton-Aschman Associates conducted a 1982 survey of automobile ownership patterns for different types of residential developments in the City of Irvine. The results of this survey are as follows:

<u>Market Rate Condos</u>	<u>Resident Vehicles per Dwelling Unit</u>
Studio	---
One Bedroom	1.43
Two Bedroom	1.73
Three Bedrooms or more	1.92

<u>Apartments</u>	<u>Resident Vehicles per Dwelling Unit</u>
Studio	---
One Bedroom	1.27
Two Bedroom	1.57
Three Bedrooms or more	1.65

<u>Affordable Condos</u>	<u>Resident Vehicles per Dwelling Unit</u>
Studio	1.30
One Bedroom	1.40
Two Bedroom	1.56
Three Bedrooms or more	2.09

Based on the results of this survey, the following parking standards were recommended by Barton-Aschman:

Market Rate Condos**Recommended Spaces per Unit**

Studio	1.0
One Bedroom	1.5
Two Bedroom	2.0
Three Bedroom	2.0

Apartments**Recommended Spaces per Unit**

Studio	1.0
One Bedroom	1.4
Two Bedroom	1.6
Three Bedrooms or more	2.0

Affordable Condos**Recommended Spaces per Unit**

Studio	1.0
One Bedroom	1.4
Two Bedroom	1.6
Three Bedrooms or more	2.0

Recommendations for visitor parking from this study were made based on type of housing, with no variation by number of bedrooms: market rate condominiums are required to provide 0.7 spaces per unit for developments with private garages, or 0.4 spaces per unit for developments with carports; and apartments and affordable condominiums are required to provide 0.25 spaces per unit.

Appendix G

Coastal Related Land Uses Associated with the Downtown.

The Coastal Commission was contacted and indicated that there are no specific "coastal related" land uses specifically for downtown beach communities. The Certified Land Use Plan does however favor visitor serving businesses as does the Coastal Commission. The following are some examples:

1. Motels/ hotels
2. Bicycle shops, sales and rental
3. Beach recreational equipment sales and rental
4. Snack shops,
5. Restaurants.
6. Clothing and apparel
7. Entertainment, live or special performances
8. Health fitness / gymnasium
9. Sporting good stores, hobby supply
10. Surfboard stores

Some examples in general that are not considered visitor serving by the Coastal Commission are as follows:

1. Manufacturing uses
2. Residential uses
3. Offices

